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# **CRIME CLASSIFICATION GUIDE**

## **A LISTING OF STATUTORY CRIMES AND TRAFFIC INFRACTIONS IN COLORADO**

**Report to the  
Colorado General Assembly**

**Colorado Legislative Council  
Research Publication No. 426  
January 1997**

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## **ACKNOWLEDGMENTS**

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# INTRODUCTION

The purpose of this guide is to serve as a compilation of statutory offenses identified as criminal behavior in Colorado. For each offense a brief description and the statutory citation are provided. Due to limitations of space, the complete elements of each offense are not included. The following sections are the classifications for offenses and form the basis for the organization of this guide:

**SECTION 1**    Class 1 Felonies  
                  Class 2 Felonies  
                  Class 3 Felonies  
                  Class 4 Felonies  
                  Class 5 Felonies  
                  Class 6 Felonies  
                  Unclassified Felonies

**SECTION 2**    Class 1 Misdemeanors  
                  Class 2 Misdemeanors  
                  Class 3 Misdemeanors  
                  Unclassified Misdemeanors

**SECTION 3**    Class 1 Petty Offenses  
                  Class 2 Petty Offenses

**SECTION 4**    Unclassified Offenses

**SECTION 5**    Traffic Infractions

The possible penalty range for felonies and misdemeanors is described at the beginning of the appropriate section. Where applicable, each section begins with a listing of the crimes from the Colorado Criminal Code (Title 18) followed by crimes from other titles with that same level of classification. Within the listing of crimes from Title 18, offenses are further divided into categories such as: Offenses Against Persons, Offenses Against Property, etc. Offenses not included in the Criminal Codes are identified by title such as Election Code Offenses, Offenses Related to Financial Institutions, etc.

The numerical order of offenses begins with the number 1 for each classification. To help locate a particular classification of offenses, the bottom of each page is identified with an abbreviation of the classification. For example, 1F is for Class 1 Felonies, 1M for Class 1 Misdemeanors and TI for Traffic Infractions.

This guide will continue to be updated on an annual basis. Any comments or suggestions for improvement are appreciated and will be given consideration for the next publication. The list of offenses is current through 1996.

## GLOSSARY

<u>Description</u>	<u>Location</u>
<b>Criminal Code Offenses</b>	
Inchoate Offenses	Title 18, Article 2
Offenses Against the Person	Title 18, Article 3
Offenses Against Property	Title 18, Article 4
Offenses Involving Fraud	Title 18, Article 5
Computer Crime	Title 18, Article 5.5
Offenses Involving the Family Relations	Title 18, Article 6
Wrongs to At-Risk Adults and Juveniles	Title 18, Article 6.5
Offenses Relating to Morals	Title 18, Article 7
Offenses — Governmental Operations	Title 18, Article 8
Offenses Against Public Peace, Order and Decency	Title 18, Article 9
Gambling	Title 18, Article 10
Offenses Involving Disloyalty	Title 18, Article 11
Offenses Relating to Firearms and Weapons	Title 18, Article 12
Miscellaneous Offenses	Title 18, Article 13
Hotel Facility Rates: Posting - Notice	Title 18, Article 14
Offenses — Making, Financing, or Collection of Loans	Title 18, Article 15
Purchasers of Valuable Articles	Title 18, Article 16
Colorado Organized Crime Control	Title 18, Article 17
Uniform Controlled Substances Act of 1992	Title 18, Article 18
Offenses Related to Limited Gaming	Title 18, Article 20
<b>Offenses Not in the Criminal Code</b>	
Election Offenses	Title 1
Consumer and Commercial Affairs Offenses	Title 6
Colorado Antitrust Act of 1992	Title 6
Colorado Charitable Solicitations Act	Title 6
Offenses Related to Labor and Industry	Title 8
Offenses Related to Industrial and Commercial Safety	Title 9

<u>Description</u>	<u>Location</u>
Offenses Related to Insurance	Title 10
Offenses Related to Financial Institutions	Title 11
Offenses Related to Professions and Occupations	Title 12
Offenses Related to Courts and Court Procedure	Title 13
Domestic Matters — Parent and Child	Title 14
Colorado Medical Treatment Decision Act	Title 15
Offenses Related to Criminal Proceedings	Title 16
Offenses Related to the Children's Code	Title 19
Offenses Related to Higher Educ. and Vocational Training	Title 23
Offenses Related to State Government	Title 24
Government — Health	Title 25
Human Services Code Offenses	Title 26
Government — Local	Title 29
Government — County	Title 30
Government — Municipal	Title 31
Offenses Related to Special Districts	Title 32
Offenses Related to Wildlife, Parks, and Outdoor	Title 33
Offenses Related to Mineral Resources	Title 34
Offenses Related to Agriculture	Title 35
Offenses Related to Natural Resources	Title 36
Offenses Related to Water and Irrigation	Title 37
Offenses Related to Real and Personal Property	Title 38
Taxation Offenses	Title 39
Offenses Related to Utilities	Title 40
Offenses Related to Aircraft and Airports	Title 41
Offenses Related to Vehicles and Traffic	Title 42
Offenses Related to Highways and Roads	Title 43



## SECTION 1 — FELONIES

This section contains a current listing of felony offenses. Felony offenses are categorized as follows: class 1, class 2, class 3, class 4, class 5, class 6, and unclassified felonies. The penalty for the commission of a certain felony offense depends on its classification. The general possible penalty scheme for felonies is indicated in the chart below.

FELONIES COMMITTED ON OR AFTER JULY 1, 1993*					
Presumptive Range			Exceptional Circumstances		
Class	Minimum	Maximum	Minimum	Maximum	Mandatory Parole
1	Life Imprisonment	Death	Life Imprisonment	Death	
2	8 years \$5,000 fine	24 years \$1,000,000 fine	4 years	48 years	5 years
3	4 years \$3,000 fine	12 years \$750,000	2 years	24 years	5 years
Extraordinary Risk Crime	4 years \$3,000 fine	16 years \$750,000	2 years	24 years	5 years
4	2 years \$2,000 fine	6 years \$500,000	1 year	12 years	3 years
Extraordinary Risk Crime	2 years \$2,000 fine	8 years \$500,000	1 year	16 years	3 years
5	1 year \$1,000 fine	3 years \$100,000	6 months	6 years	2 years
Extraordinary Risk Crime	1 year \$1,000	4 years \$100,000	6 months	8 years	2 years
6	1 year \$1,000 fine	18 months \$100,000 fine	6 months	3 years	1 year
Extraordinary Risk Crime	1 year \$1,000 fine	2 years \$100,000	6 months	4 years	1 year

Crimes which present an extraordinary risk of harm to society shall include the following:

- |  |   |
|--|---|
| <ol style="list-style-type: none"> <li>1) First degree sex assault</li> <li>2) Second degree sex assault</li> <li>3) Third degree sex assault</li> <li>4) Sex assault on a child</li> <li>5) Sex assault on a child/position of trust</li> <li>6) Sex assault on a client by a psychotherapist</li> <li>7) Incest</li> </ol> | <ol style="list-style-type: none"> <li>8) Aggravated incest</li> <li>9) Aggravated robbery</li> <li>10) Child abuse</li> <li>11) Unlawful distribution, manufacturing, dispensing, sale or possession of a controlled substance with the intent to sell (Note: not mere possession)</li> <li>12) Any crime of violence as defined in section 16-11-309</li> </ol> |
|--|---|

\* All listings are current through 1996 session laws.



It is important to note that *not all* persons convicted of a felony offense receive a sentence to the Department of Corrections. In fact, many offenders are sentenced to probation. The prison time indicated in the chart is the sentencing range for those persons who are incarcerated for their felony conviction.

The crimes in this listing are grouped according to the statutory title in which they appear. For example, crimes in title 18, article 3 are identified as "Offenses Against the Person." Title 18 crimes are listed first in each category, and the other offenses are organized sequentially by numerical title.

## CLASS 1 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Offenses Against Persons

1. ***Murder in the first degree.*** A person commits the class 1 felony of murder in the first degree if:
  - a) After deliberation and with the intent to cause the death of a person other than himself, he causes the death of that person or of another person; or (1) (a)
  - b) Acting either alone or with one or more persons, he commits or attempts to commit arson, robbery, burglary, kidnapping, sexual assault in the first or second degree as prohibited by section 18-3-402 or 18-3-403, or a class 3 felony for sexual assault on a child as provided in section 18-3-405 (2), or the crime of escape as provided in section 18-8-208, and, in the course of or in furtherance of the crime that he is committing or attempting to commit, or of immediate flight therefrom, the death of a person, other than one of the participants, is caused by anyone; or (1) (b)
  - c) By perjury or subornation of perjury he procures the conviction and execution of any innocent person; or (1) (c)
  - d) Under circumstances evidencing an attitude of universal malice manifesting extreme indifference to the value of human life generally, he knowingly engages in conduct which creates a grave risk of death to a person or persons other than himself, and thereby causes the death of another. (1) (d)
  - e) He commits unlawful distribution, dispensation, or sale of a controlled substance to a person under the age of eighteen years on school grounds as provided in section 18-18-405 (4), and the death of such person is caused by the use of such controlled substance. (1) (e)
  - f) The person knowingly causes the death of a child who has not yet attained twelve years of age and the person committing the offense is one in a position of trust with respect to the victim. (1) (f)
2. ***First degree murder of a peace officer or fireman.*** A person who commits murder in the first degree, as defined in section 18-3-102, and the victim is a peace officer or fireman engaged in the performance of his duties, commits the felony crime of first degree murder of a peace officer or fireman. 18-3-107 (1)



## Elements of Offense

## C.R.S. Citation

### Offenses Against Persons

3. ***First degree kidnapping.*** Any person who does any of the following acts with the intent thereby to force the victim or any other person to make any concession or give up anything of value in order to secure a release of a person under the offender's actual or apparent control commits first degree kidnapping: 18-3-301 (1)
- a) Forcibly seizes and carries any person from one place to another; or (1) (a)
  - b) Entices or persuades any person to go from one place to another; or (1) (b)
  - c) Imprisons or forcibly secretes any person. (1) (c)
- Whoever commits first degree kidnapping is guilty of a class 1 felony if the person kidnapped shall have suffered bodily injury; but no person convicted of first degree kidnapping shall suffer the death penalty if the person kidnapped was liberated alive prior to the conviction of the kidnapper. (2)
4. ***Assault during escape.*** Any person confined in any lawful place of confinement within the state who, while escaping or attempting to escape, commits an assault with intent to commit bodily injury upon another person with a deadly weapon, or by any means of force likely to produce serious bodily injury, commits a class 1 felony if the person has been convicted of a class 1 felony. 18-8-206 (1) (a)

### Offenses Involving Disloyalty

5. ***Treason.*** A person commits the class 1 felony of treason if he levies war against the state of Colorado or adheres to its enemies, giving them aid and comfort. 18-11-101 (1) & (2).

## CLASS 2 FELONIES

<u>Elements of Offense</u>	<u>C.R.S. Citation</u>
<b>Inchoate Offenses</b>	
1. <i>Criminal attempt.</i> If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 1 felony, that person commits a class 2 felony.	18-2-101 (4)
2. <i>Criminal conspiracy.</i> If a person agrees to commit a crime with one or more persons, that person commits criminal conspiracy. Conspiracy to commit a class 1 felony is a class 2 felony.	18-2-201 (elements of crime) and 18-2-206 (1) (penalty provisions)
3. <i>Criminal solicitation.</i> A person who attempts to persuade another person to commit a class 1 felony commits a class 2 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101 (4).)	18-2-301 (5)
<b>Offenses Against the Person</b>	
4. <i>Murder in the second degree.</i> A person commits the class 2 felony of murder in the second degree if he causes the death of a person knowingly, but not after deliberation.	18-3-103 (3)
5. <i>First degree kidnapping.</i> This is a class 2 felony if the kidnapped person was liberated unharmed.	18-3-301 (3)
6. <i>Second degree kidnapping.</i> Second degree kidnapping is a class 2 felony if the person kidnapped is a victim of a sexual assault or a robbery.	18-3-302 (3)
7. <i>Sexual assault in the first degree.</i> First degree sexual assault is committed when the actor inflicts sexual intrusion or penetration on a victim through physical force or threat, the victim is physically helpless, or the victim's ability to control his conduct has been impaired by the actor. It is a class 2 felony if: (a) more than one person aids the assault; or (b) the victim suffers serious bodily injury; or (c) the actor uses a deadly weapon.	18-3-402 (3)
<b>Offenses Against Property</b>	
8. <i>First degree burglary.</i> This is a class 2 felony if controlled substances within a pharmacy or other place having lawful possession thereof are involved.	18-4-202 (3)



## Elements of Offense

## C.R.S. Citation

9. *Aggravated robbery of controlled substances.* It is a class 2 felony if robbery of controlled substances from the legal possessor involves the use of a deadly weapon in the robbery, placing the victim in fear of death or injury, or being aided and abetted by an armed confederate. 18-4-303 (2)

### **Offenses Involving the Family Relations**

10. *Criminal abortion.* Abortion by any means other than justified medical termination or birth is criminal abortion and if the woman dies because of the criminal abortion, this is a class 2 felony. 18-6-102 (2)
11. *Pretended criminal abortion.* Any person who intentionally pretends to end a real or apparent pregnancy other than by justified medical termination or birth commits pretended criminal abortion and if the woman dies because of a pretended abortion, this is a class 2 felony. 18-6-103 (2)
12. *Child abuse.* If a person knowingly or recklessly commits child abuse and such abuse results in the death of a child, it is a class 2 felony. 18-6-401 (7) (a) (I)

### **Wrongs to At-Risk Adults and At-Risk Juveniles**

13. *Crimes against at-risk adults and at-risk juveniles.* A person who commits a crime of assault in the first degree when the victim is an at-risk adult or at-risk juvenile commits a class 2 felony. 18-6.5-103 (3) (a)

### **Offenses Relating to Morals**

14. *Pandering of a child.* If anyone induces a child to commit prostitution by threatening or intimidating the child, the person commits a class 2 felony. 18-7-403 (2)

### **Offenses — Governmental Operations**

15. *Aiding an escape.* If the person aided was in custody or confinement for conviction of a class 1 or class 2 felony, it is a class 2 felony to aid in such person's escape. 18-8-201 (4)
16. *Assault during escape.* It is a class 2 felony to commit an assault with intent to injure while attempting to escape from confinement for conviction of a felony other than a class 1 felony. 18-8-206 (1) (b)
17. *Holding hostages.* If, while escaping, a person holds another hostage by force or threat, he commits a class 2 felony. 18-8-207
18. *Escape.* It is a class 2 felony to knowingly escape confinement following conviction of a class 1 or 2 felony. 18-8-208 (1)



Elements of Offense

C.R.S. Citation

**Offenses Relating to Firearms and Weapons**

19. *Explosives or incendiary devices.* The use of such device in the commission or attempt to commit a felony is a class 2 felony. 18-12-109 (4)

**Colorado Organized Crime Control Act**

20. *Racketeering activities.* It is a class 2 felony to knowingly invest proceeds from a pattern of racketeering activity or collection of an unlawful debt in real property or any enterprise. 18-17-104 (elements of offense) and 18-17-105 (1) (Penalty provisions)

**Uniform Controlled Substances Act of 1992**

21. *Controlled substances.* It is a class 2 felony to dispense, sell, or distribute a schedule I or II controlled substance, or to conspire with or induce another to undertake such activity when the offense is committed subsequent to a prior conviction of the same offense. 18-18-405 (2) (a) (II)

**Class 2 Felony, Not in the Criminal Code**

**Colorado Medical Treatment Decision Act**

22. *Falsifying or forging a declaration.* Any person who falsifies or forges a declaration of another, and the terms of the declaration are carried out, resulting in the death of the purported declarant, commits a class 2 felony. 15-18-113 (3)

## CLASS 3 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Inchoate Offenses

1. ***Criminal attempt.*** If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 2 felony, that person commits a class 3 felony. 18-2-101 (4)
2. ***Conspiracy.*** Conspiracy to commit a class 2 felony is a class 3 felony. 18-2-206 (1)
3. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 2 felony, commits a class 3 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101 (4).) 18-2-301 (5)

#### Offenses Against the Person

4. ***Second degree murder.*** When a person knowingly causes the death of another where the act causing the death was performed upon a sudden heat of passion caused by a serious and highly provoking act of the victim, affecting the person causing the death sufficiently to excite an irresistible passion in a reasonable person, it is a class 3 felony. 18-3-103 (3) (b)
5. ***Vehicular homicide.*** When a person operates or drives a motor vehicle while under the influence of alcohol or drugs or both, and such conduct is the proximate cause of the death of another, it is a class 3 felony. 18-3-106 (1) (c)
6. ***Assault in the first degree.*** If any person intentionally causes serious injury to another person through the use of a deadly weapon or conduct which creates a grave risk of death, or in the commission of a crime or flight therefrom he causes serious injury to another, or, if a person threatens a peace officer or fireman or person employed by a detention facility with a deadly weapon with intent to cause harm, that person commits a class 3 felony. 18-3-202 (2) (b)
7. ***Assault in second degree.*** It is considered a class 3 felony if the person who is assaulted, other than a participant in the crime, suffers serious bodily injury during the commission or attempted commission of or flight from the commission or attempted commission of murder, robbery, arson, burglary, first degree escape, first degree kidnaping, first or second degree sexual assault, or class 3 felony sexual assault on a child. 18-3-203 (2) (b.5)



## Elements of Offense

## C.R.S. Citation

8. ***Criminal extortion.*** Whoever threatens another to induce the person to do an act against his will or refrain from doing a lawful act commits aggravated criminal extortion, which is a class 3 felony, if the person issues such threat by means of chemical or biological agents, weapons, poison, or radioactive agents. 18-3-207 (4)
9. ***Second degree kidnaping.*** It is a class 3 felony if the kidnaping is accomplished by the use of a deadly weapon, but does not include sexual assault or robbery. 18-3-302 (4)
10. ***Enticement of a child.*** Enticement of a child is a class 3 felony if the defendant has a previous conviction for enticement of a child or sexual assault on a child. A person commits the crime of enticement of a child if he invites or persuades, or attempts to invite or persuade, a child under the age of fifteen years to enter any vehicle, building, room, or secluded place with the intent to commit sexual assault in any degree upon said child. 18-3-305 (2)
11. ***Sexual assault in the first degree.*** This is a class 3 felony when the actor inflicts sexual penetration or intrusion on a victim through physical force or threat, or the victim is physically helpless, or the victim's ability to control his conduct has been impaired by the actor. 18-3-402 (2)
12. ***Sexual assault on a child.*** An actor commits a class 3 felony if he subjects a victim who is less than fifteen years of age to any sexual contact, and the actor is at least four years older than the victim, and the actor applies force, or threatens death, injury, kidnaping, or future retaliation. 18-3-405 (2)
13. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 3 felony if the victim is less than fifteen years of age. 18-3-405.3 (2)

## **Offenses Against Property**

14. ***First degree arson.*** A person who sets fire to, or through the use of explosives, causes to be damaged or destroyed any building or occupied structure commits a class 3 felony. 18-4-102 (2)
15. ***First degree burglary.*** If a person unlawfully enters a building with intent to commit a crime and if said person assaults or menaces any person, or is armed with explosives or a deadly weapon, he commits a class 3 felony. 18-4-202 (2)

Elements of Offense

C.R.S. Citation

16. ***Second degree burglary.*** A class 3 felony is committed if a person unlawfully enters a place with intent to commit a crime against a person or property and when: (a) it is a burglary of a dwelling; or (b) the objective of the burglary is theft of controlled substances. 18-4-203 (2)
17. ***Aggravated robbery.*** If possession or use of a deadly weapon is involved in a robbery by the actor or an accomplice, aggravated robbery is a class 3 felony. 18-4-302 (3)
18. ***Theft.*** Theft is a class 3 felony if the value of the thing involved is fifteen thousand dollars or more. 18-4-401 (2) (d)
19. ***Theft.*** Theft is a class 3 felony if the person has committed theft more than once within a six-month period without being charged for the earlier offense and the aggregate value of the things involved is fifteen thousand dollars or more. 18-4-401 (4)
20. ***Theft of rental property.*** Theft of rental property is a class 3 felony where the value of the property involved is fifteen thousand dollars or more. 18-4-402 (5)
21. ***Theft of rental property.*** Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and when the aggregate value of the property is fifteen thousand dollars or more is a class 3 felony. 18-4-402 (6)
22. ***Aggravated motor vehicle theft.*** A person who takes any motor vehicle from another without authorization and who either retains control for over twenty-four hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 3 felony if the value of the motor vehicle or vehicles involved is more than fifteen thousand dollars or if the defendant has twice previously been convicted of charges separately brought and tried. 18-4-409 (3) (b)
23. ***Theft by receiving.*** When a person receives, retains, loans money by pawn or pledge on, or disposes of another's property, knowing that said property has been stolen, and he intends to deprive the owner permanently of the property, and the value of the property is fifteen thousand dollars or more, the person commits a class 3 felony. 18-4-410 (5)
24. ***Theft by receiving.*** When the value of the property involved is four hundred dollars or more and the person is engaged in the business of buying and selling of stolen goods for profit, theft by receiving is a class 3 felony. 18-4-410 (6)



## Elements of Offense

## C.R.S. Citation

25. *Criminal mischief.* A person who knowingly damages real or personal property of another valued fifteen thousand dollars or more in the aggregate commits a class 3 felony. 18-4-501

## **Offenses Involving Fraud**

26. *Defrauding a secured creditor or debtor.* A person who impairs, renders worthless or unenforceable any security interest, or who sells, assigns, transfers, conveys, pledges, encumbers, conceals, destroys, or disposes of any collateral subject to a security interest, and the value of the collateral is fifteen thousand dollars or more, commits a class 3 felony. 18-5-206 (1) (d)
27. *Defrauding a secured creditor or debtor.* If a creditor sells, assigns, transfers, conveys, pledges, buys, or encumbers a promissory note or contract signed by the debtor, and the amount owed on such note or contract is fifteen thousand dollars or more, he commits a class 3 felony. 18-5-206 (2) (d)
28. *Unauthorized use of a financial device.* Any person who uses a financial transaction device for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, commits unauthorized use of a financial device. If such cash, credit, property, or service obtained or financial payment made exceeds fifteen thousand dollars, it is a class 3 felony. 18-5-702 (3) (d)
29. *Sale of a financial transaction device.* Any person who, with intent to defraud, sells or has in his possession to sell, two or more financial transaction devices which he knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake commits a class 3 felony. 18-5-704 (2)
30. *Sale of a blank financial transaction device.* Any person who delivers, circulates, or sells two or more blank financial transaction devices which have not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information, commits a class 3 felony. 18-5-705 (5)

## **Computer Crime**

31. *Computer crime.* Any person who uses a computer or computer system for committing theft, or for false or fraudulent purposes, commits computer crime. If such loss, damage, or thing of value involved in the computer crime is fifteen thousand dollars or more, it is a class 3 felony. 18-5.5-102 (3)



## Elements of Offense

## C.R.S. Citation

### **Offenses Involving the Family Relations**

32. ***Aggravated incest.*** A person commits aggravated incest who knowingly marries a natural child, inflicts sexual penetration or intrusion on, or subjects to sexual contact a natural child, stepchild, adopted child, and certain other whole or half blood relatives. The provision does not apply to a legal marriage to a stepchild or adopted child. Aggravated incest is a class 3 felony. 18-6-302 (2)
33. ***Child abuse.*** When a person acts with criminal negligence and the child abuse results in the death of the child, it is a class 3 felony. 18-6-401 (7) (a) (II)
34. ***Child abuse.*** When a person acts knowingly or recklessly and the child abuse results in serious bodily injury to the child, it is a class 3 felony. 18-6-401 (7) (a) (III)
35. ***Trafficking in children.*** Selling, exchanging, bartering, or leasing a child and receiving money or other consideration or thing of value for the child as a result of such transaction is a class 3 felony. 18-6-402 (3)
36. ***Sexual exploitation of children.*** A person who, for any commercial purpose, knowingly causes a child to engage in or be used for explicit sexual conduct or traffics in sexually exploitative material, commits sexual exploitation of a child which is a class 3 felony. 18-6-403 (5)
37. ***Procurement of a child for sexual exploitation.*** Any person who intentionally gives, transports, provides, or makes available, or offers to do the same for the purpose of sexually exploiting a child, commits a class 3 felony. 18-6-404

### **Wrongs to At-risk Adults and At-Risk Juveniles**

38. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits the crime of assault in the second degree when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (3) (b)
39. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits robbery when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony. 18-6.5-103 (4)
40. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits theft in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 3 felony when the value of the item involved is three hundred dollars or more. 18-6.5-103 (5)

## Elements of Offense

## C.R.S. Citation

### **Offenses Relating to Morals**

41. ***Pimping.*** Any person who knowingly lives on or is supported or maintained by any money earned by another person through prostitution commits pimping, which is a class 3 felony. 18-7-206
42. ***Soliciting for child prostitution.*** A person who solicits another, arranges a meeting, or directs another to a place for the purpose of child prostitution commits a class 3 felony. 18-7-402 (2)
43. ***Pandering of a child.*** Anyone who arranges or offers to arrange a situation in which a child may practice prostitution commits a class 3 felony. 18-7-403 (2)
44. ***Procurement of a child.*** Any person who intentionally gives, transports, provides, or makes available or offers to do the same for the purpose of child prostitution commits a class 3 felony. 18-7-403.5
45. ***Keeping a place of child prostitution.*** Any person who exercises control over a place which offers seclusion or shelter for the purpose of prostitution of or by a child commits a class 3 felony. 18-7-404 (2)
46. ***Pimping of a child.*** Any person who lives on or is supported by money or other thing of value procured by a child through prostitution commits a class 3 felony. 18-7-405
47. ***Inducement of child prostitution.*** Any person who by word or action (other than menacing or criminal intimidation) induces a child to engage in prostitution commits a class 3 felony. 18-7-405.5 (2)
48. ***Patronizing a prostituted child.*** A class 3 felony is committed by anyone who engages in an act which involves child prostitution, or by anyone who enters a place of prostitution with the intention of engaging in child prostitution. 18-7-406 (2)

### **Offenses — Governmental Operations**

49. ***Aiding escape.*** If a person assists another person in escaping and the person aided has been convicted of a felony other than a class 1 or class 2 felony, said person commits a class 3 felony. 18-8-201 (5)
50. ***Assault during escape.*** If a person who is being held or charged with but not convicted of a felony attempts to escape and assaults another intentionally with a deadly weapon, or another means of force likely to produce injury, he commits a class 3 felony. 18-8-206 (1) (c)



## Elements of Offense

## C.R.S. Citation

51. ***Assault during escape.*** If a person in custody is charged with, held for, or convicted of a misdemeanor or petty offense, and attempts to escape and assaults another intentionally with a deadly weapon or another means of force likely to produce injury, he commits a class 3 felony. 18-8-206 (1) (d)
52. ***Escapes.*** If a person who has been convicted of a felony other than a class 1 or class 2 felony escapes from custody or confinement, he commits a class 3 felony. 18-8-208 (2)
53. ***Riots in correctional institutions.*** A person who engages with two or more other persons in violent conduct, using a deadly weapon, which creates grave danger and obstructs performance of the institution commits a class 3 felony. 18-8-211 (2) (a)
54. ***Bribery.*** A class 3 felony is committed if a person offers a pecuniary benefit to a public official with the intent to influence some action, or if he is a public official and accepts a bribe. 18-8-302 (3)
55. ***Aggravated intimidation of a witness or victim.*** If, in an attempt to influence a witness or victim, a person either: a) is armed with a deadly weapon and intends, if resisted, to kill, maim, or wound any person; or b) knowingly wounds any person or puts any person in a reasonable fear of death or bodily injury, he commits a class 3 felony. 18-8-705 (3)
56. ***Retaliation against a witness or victim.*** A person who intentionally inflicts harm or injury upon any person or property as retaliation for testimony given in any official proceeding commits a class 3 felony. 18-8-706 (2)
57. ***Retaliation against a juror.*** If an individual uses a threat, act of harassment, or act of harm or injury upon any person or property, which action is directed to or committed upon a juror who has served for a criminal or civil trial involving the individual or a person or persons on whose behalf the individual is acting, or upon a member of the juror's family, an individual in close relationship to the juror, or an individual residing in the same household with the juror, as retaliation or retribution against the juror, he commits a class 3 felony. 18-8-706.5 (1)

## **Offenses Against Public Peace, Order, and Decency**

58. ***Endangering public transportation.*** If a person tampers with a facility of public transportation intentionally to cause damage which would result in possible bodily harm or death, or he intends to commit a crime on the public conveyance or he threatens anyone with a deadly weapon on a public conveyance, he commits a class 3 felony. 18-9-115 (5)

Elements of OffenseC.R.S. Citation

59. ***Vehicular Eluding.*** Vehicular eluding which results in death to another person is a class 3 felony. 18-9-116.5

**Uniform Controlled Substances Act of 1992**

60. ***Controlled substances.*** It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 3 felony:
- if a person is convicted on a first offense for such activity in the case of schedule I or II controlled substances; or (2) (a) (I)
  - if a person is convicted for a second or subsequent offense for such activity in the case of a schedule III controlled substance. (2) (b) (II)
61. ***Offenses relating to marijuana.*** The following offenses involving marijuana or marijuana concentrate are class 3 felonies: 18-18-406
- a second or subsequent conviction of dispensing (with consideration) over one ounce of marijuana by a person age 18 or over to a person age 15 to 17, or any amount of marijuana concentrate (with or without consideration) to a person under age 18, or dispensing any amount of marijuana (with or without consideration) by a person age 18 or over to a person under age 15; (7) (c)
  - a second or subsequent conviction for cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person, or allowing these activities on his land; and (8) (a) (II) (B)
  - a second or subsequent conviction for manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (B)
62. ***Money laundering - illegal investments.*** A person commits a class 3 felony if he knowingly or intentionally violates any of the provisions of paragraphs (a) through (d) of section 18-18-408 regarding money laundering or illegal investments pursuant to the Uniform Controlled Substances Act of 1992, 18-18-408
63. ***Imitation controlled substances.*** Any person aged 18 or over who distributes an imitation controlled substance to a person under 18 after a previous conviction of the same charge commits a class 3 felony. 18-18-422 (2) (b) (II)



## Elements of Offense

## C.R.S. Citation

### **Offenses Related to Limited Gaming**

64. *Personal pecuniary gain or conflict of interest.* Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 18-20-113 (2)

### **Class 3 Felonies, Not in the Criminal Code**

#### **Securities**

65. *Fraudulent practices.* Any person who willfully violates the provisions of section 11-51-501 regarding the fraudulent offer, sale, or purchase of any security, directly or indirectly, commits a class 3 felony. 11-51-603 (1)

#### **Colorado Commodity Code**

66. *Unlawful activities — commodity sales.* Any violation of any provision of article 53 of title 11 or violation of section 11-53-108, C.R.S., when the person makes a statement which is false or misleading is a class 3 felony. 11-53-204 (1)

#### **Colorado Municipal Bond Supervision Act**

67. *Misleading filing.* Any person who willfully makes a false or misleading statement in any document filed with the securities commissioner commits a class 3 felony. 11-59-115 (1)

#### **Medical Practice**

68. *Unprofessional conduct.* Dispensing or injecting an anabolic steroid for a second or subsequent instance unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 3 felony. 12-36-129 (2.5)

#### **Colorado Limited Gaming Act**

69. *Personal pecuniary gain or conflict of interest.* Any person who issues, suspends, revokes, or renews any license pursuant to the Colorado Limited Gaming Act for any personal pecuniary gain or any thing of value commits a class 3 felony. 12-47.1-838 (2)



## Elements of Offense

## C.R.S. Citation

### **Government — State Department of Personnel**

70. *State agency contracts — criminal liability.* Any person, other than a bona fide employee working solely for a person providing professional services, who offers, agrees, or contracts to solicit or secure for any other person state agency contracts for professional services and who, in so doing, receives any type of consideration contingent upon or resulting from the making of the contract commits a class 3 felony. 24-30-1406 (1)

### **Government — State Department of Revenue**

71. *State lottery — criminal penalties.* Any person who, for personal pecuniary gain, issues, suspends, revokes, or renews a contract for gaming materials, or who violates the provisions concerning conflicts of interest in the operation of the state lottery commits a class 3 felony. 24-35-215 (3)

### **Government — State Department of Public Health and Environment**

72. *Department of Health — penalties.* Tampering with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 3 felony. 25-1-114 (5) (b) (I)

### **Human Services Code — Department of Human Services**

73. *Fraudulent acts.* Obtaining public assistance or vendor payments to which one is not entitled, or public assistance or vendor payments greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device is a class 3 felony when the value of the assistance or payment is fifteen thousand dollars or greater (see 18-4-401 (2) (d)). 26-1-127 (1)

### **Colorado Public Assistance Act**

74. *Fraudulent acts.* Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 felony when the value of the food stamps is fifteen thousand dollars or more (see 18-4-401 (2) (d)). 26-2-305 (1)
75. *Trafficking in food stamps.* Trafficking in food stamps is a class 3 felony if the value of the food stamps is fifteen thousand dollars or more. 26-2-306 (2) (d)

**Elements of Offense**

**C.R.S. Citation**

76. *Trafficking in food stamps.* Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 3 felony when the aggregate value of the food stamps involved is fifteen thousand dollars or more. 26-2-306 (3)

**Colorado Medical Assistance Act**

77. *Personal needs trust fund.* Unlawful use of a patient personal needs trust fund is a class 3 felony if the amount involved is fifteen thousand dollars or more. 26-4-504 (8) (d) (IV)

**Automobile Theft Law**

78. *Tampering with a motor vehicle.* Tampering with a motor vehicle is a class 3 felony if the damage is fifteen thousand dollars or more or causes bodily injury to any person. 42-5-103 (2) (c)
79. *Theft of motor vehicle parts.* Theft of motor vehicle parts is a class 3 felony if the value of the thing involved is fifteen thousand dollars or more. 42-5-104 (2) (c)



## CLASS 4 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Inchoate Offenses

1. ***Criminal attempt.*** If a person intentionally engages in conduct which constitutes a substantial step toward the commission of a class 3 felony, that person commits a class 4 felony. 18-2-101 (4)
2. ***Criminal conspiracy.*** Conspiracy to commit a class 3 felony is a class 4 felony. 18-2-206 (1)
3. ***Criminal solicitation.*** A person who attempts to persuade another person to commit a class 3 felony commits a class 4 felony. (Penalty provisions for criminal solicitation are the same as those for criminal attempt contained in section 18-2-101.) 18-2-301 (5)

#### Offenses Against the Person

4. ***Manslaughter.*** A person commits manslaughter if: (a) such person recklessly causes the death of another person; or (b) such person intentionally causes or aids another person to commit suicide. 18-3-104
5. ***Vehicular homicide.*** If a person causes the death of another while recklessly operating a motor vehicle, such person commits a class 4 felony. 18-3-106 (1) (c)
6. ***Assault in the second degree.*** A person commits assault in the second degree if: (a) he intentionally causes serious bodily injury to another; or (b) he attempts to cause serious bodily injury with a deadly weapon; or (c) with intent to prevent a peace officer or fireman from doing his duty he causes bodily injury; or (d) he recklessly causes serious injury by means of a deadly weapon; or (e) he harms someone by means of administering a drug or other substance; or (f) when lawfully confined he uses physical force against a peace officer or fireman in the performance of his duties. Assault in the second degree is a class 4 felony. 18-3-203 (2) (b)
7. ***Vehicular assault.*** When a person operates a motor vehicle while under the influence of alcohol or drugs and causes serious bodily injury to another, it is a class 4 felony. 18-3-205 (1) (c)
8. ***Criminal extortion.*** A class 4 felony is committed when a person threatens a person, his property, or his reputation, to induce that person to act against his will to do an act or refrain from doing a lawful act. 18-3-207 (4)

Elements of Offense

C.R.S. Citation

9. *Second degree kidnaping.* Any person who kidnaps a child not his own and under the age of eighteen years of age commits a class 4 felony, if the person kidnaped is not a victim of sexual assault or robbery, and the use of a deadly weapon is not employed. 18-3-302 (5)
10. *Enticement of a child.* A person commits the crime of enticement of a child if he invites or persuades or attempts to invite or persuade a child under the age of 15, to enter a vehicle, building, or room with the intent to commit sexual assault. This is a class 4 felony. 18-3-305 (2)
11. *Sexual assault in the second degree.* An actor commits second degree sexual assault and commits a class 4 felony if: (a) he causes the submission of a victim to sexual penetration or sexual intrusion without consent or against the victim's will; or (b) the actor causes submission of the victim to sexual intrusion by any means other than those set forth for sexual assault in the first degree but of sufficient consequence to cause submission against the victim's will; or (c) the actor knows the victim is unable to appraise the nature of the victim's conduct; or (d) the actor knows that the victim submits believing the actor to be the victim's spouse; or (e) the victim is less than fifteen years of age and the actor is four years older than the victim; or (f) the victim is less than eighteen years old and the actor is the victim's guardian; or (g) the actor has supervisory authority over the victim in some capacity; or (h) the actor engages in treatment or examination of the victim for other than bona fide medical purposes. 18-3-403 (2)
12. *Sexual assault in the third degree.* Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault in the third degree if: (a) the actor causes submission of the victim through the actual application of physical force or physical violence; or (b) the actor causes submission of the victim by threat of death, bodily injury, pain, or kidnaping, and the victim believes that the actor will execute the threat; or (c) the actor causes submission of the victim to retaliate in the future against the victim, or any other person, and the victim believes the actor will execute the threat; or (d) the actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner inconsistent with reasonable medical practices; or (e) the adult actor knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 or 18-3-403 to expose intimate parts or to engage in any sexual activity with another person for the actor's own sexual gratification. 18-3-404 (2)
13. *Sexual assault on a child.* Any actor who subjects to sexual contact a child that is less than fifteen years of age while that actor is at least four years older than the victim commits a class 4 felony. 18-3-405 (2)



## Elements of Offense

## C.R.S. Citation

14. ***Sexual assault on a child by one in a position of trust.*** Sexual assault on a child by one in a position of trust is a class 4 felony if the victim is fifteen years of age or older but less than eighteen years of age. 18-3-405.3 (2)
15. ***Sexual assault on a client by a psychotherapist.*** Sexual penetration or sexual intrusion on a victim by an actor when the actor is a psychotherapist and the victim is a patient is a class 4 felony. 18-3-405.5 (1) (b)

## **Offenses Against Property**

16. ***Second degree arson.*** A person who damages or destroys by fire or explosive the property of another, other than a building or occupied structure, commits second degree arson. If the damage caused is valued at over one hundred dollars, it is a class 4 felony. 18-4-103 (2)
17. ***Third degree arson.*** A person who, by means of fire or explosives, intentionally damages any property with intent to defraud commits a class 4 felony. 18-4-104 (2)
18. ***Fourth degree arson.*** A person who starts or maintains a fire on his or another's property and thereby places another in danger of bodily injury or death commits a class 4 felony. 18-4-105 (2)
19. ***Second degree burglary.*** A person commits a class 4 felony if he unlawfully enters a building with the intent to commit a crime against a person or property. 18-4-203 (2)
20. ***Third degree burglary.*** It is a class 4 felony if the object of the burglary is the theft of a controlled substance, lawfully kept in or upon the property burglarized. 18-4-204 (2)
21. ***Robbery.*** A person who takes anything of value from a person by the use of force, threats, or intimidation commits a class 4 felony. 18-4-301 (2)
22. ***Theft.*** A class 4 felony is committed when a person knowingly exercises control over anything which is valued at four hundred dollars or more, but less than fifteen thousand dollars, without authorization or by threat or deception. 18-4-401 (2) (c)
23. ***Theft.*** If theft is committed on two or more occasions within six months, and the person is not placed in jeopardy for the prior offense, and the aggregate value of the things involved is between four hundred dollars and fifteen thousand dollars, a class 4 felony is committed. 18-4-401 (4)



## Elements of Offense

## C.R.S. Citation

24. *Aggravated motor vehicle theft.* A person who takes any motor vehicle from another without authorization and who either retains control for over seventy-two hours, commits a crime, removes the vehicle from the state, causes property damage or bodily injury, or attempts to alter the license plates, identification number, or the vehicle itself, commits a class 4 felony if the motor vehicle or vehicles involved is valued at fifteen thousand dollars or less. 18-4-409 (3) (a)
25. *Theft by receiving.* If a person receives a thing of value which is valued at four hundred dollars or more but less than fifteen thousand dollars which he believes or knows to be stolen, and he intends to deprive the lawful owner permanently of the use or benefit of the thing of value, he commits a class 4 felony. 18-4-410 (4)
26. *Criminal mischief.* A person commits a class 4 felony when in a single criminal episode he knowingly damages real or personal property and the aggregate damage is more than four hundred dollars but less than fifteen thousand dollars. 18-4-501
27. *Second degree criminal trespass.* It is a class 4 felony if a person unlawfully enters or remains on fenced or enclosed premises classified as agricultural land, with the intent to commit a felony. 18-4-503 (2) (b)

## **Offenses Involving Fraud**

28. *Controlled substances — consumption by fraudulent means.* Any person who fraudulently causes another person to knowingly consume or receive the direct administration of any controlled substance commits a class 4 felony. 18-5-116 (2)

## **Offenses Involving the Family Relations**

29. *Criminal abortion.* Any person who intentionally ends the pregnancy of a woman by any means other than justified medical termination or birth commits the class 4 felony of criminal abortion. 18-6-102 (2)
30. *Incest.* Any person who knowingly marries, inflicts sexual penetration or sexual intrusion, or subjects to sexual contact, an ancestor or descendant, a brother or sister of the whole or half blood, or an uncle, aunt, nephew, or niece of the whole blood commits incest which is a class 4 felony. 18-6-301 (1)
31. *Child abuse.* A person who causes serious bodily injury to a child while acting with criminal negligence commits a class 4 felony. 18-6-401 (7) (a) (IV)

## Elements of Offense

## C.R.S. Citation

32. ***Sexual exploitation of children.*** The second or subsequent offense of sexual exploitation of a child by possession of sexually exploitative material is a class 4 felony. 18-6-403 (5)
33. ***Contributing to delinquency.*** Inducing, aiding, or encouraging a child to violate any state or federal law, municipal or county ordinance, or court order is a class 4 felony. 18-6-701 (2)

## **Wrongs to At-risk Adults and At-risk Juveniles**

34. ***Crimes against at-risk adults and at-risk juveniles.*** Any person whose conduct amounts to criminal negligence and such negligence results in the death of an at-risk adult or at-risk juvenile commits a class 4 felony. 18-6.5-103 (2) (a)
35. ***First degree assault against at-risk adults or at-risk juveniles.*** Any person who commits a crime of assault in the first degree and the victim is an at-risk adult or an at-risk juvenile commits a class 4 felony if the act causing the injury is performed, not after deliberation, upon a sudden heat of passion, caused by a serious and highly provoking act of the intended victim, affecting the person causing the injury sufficiently to excite an irresistible passion in a reasonable person. 18-6.5-103 (3) (a)
36. ***Theft from at-risk adults and at-risk juveniles.*** Any person who commits theft from an at-risk adult or at-risk juvenile by means other than the use of force, threat, or intimidation commits a class 4 felony without regard to the value of the thing taken. 18-6.5-103 (5)

## **Offenses — Governmental Operations**

37. ***Accessory to crime.*** A person who renders assistance to another who has committed a crime in order to prevent his apprehension and punishment commits a class 4 felony if he knows that the person being assisted has committed a class 1 or class 2 felony. 18-8-105 (3)
38. ***Introducing contraband in the first degree.*** If a person attempts to introduce a dangerous instrument, alcoholic beverage, controlled substance, or marijuana into a detention facility, or if a person is confined in a detention facility and makes any of these items, he commits a class 4 felony. 18-8-203 (2)
39. ***Possession of contraband.*** Possession of contraband which involves a dangerous instrument is a class 4 felony. 18-8-204.1 (3)
40. ***Escapes.*** If a person has been charged but not convicted of a felony and he escapes confinement, he commits a class 4 felony. 18-8-208 (3)

**Elements of Offense****C.R.S. Citation**

41. ***Attempt to escape.*** If a person who is in custody or confinement following the conviction of a felony attempts to escape, he commits a class 4 felony. 18-8-208.1 (1)
42. ***Attempt to influence a public servant.*** Any person who attempts to influence any public servant by means of deceit, threat of violence, or economic reprisal commits a class 4 felony. 18-8-306
43. ***Perjury in the first degree.*** If a person makes a materially false statement under oath in any official proceeding, he commits perjury in the first degree, which is a class 4 felony. 18-8-502 (3)
44. ***Bribe-receiving by a witness.*** A witness accepting any benefit for the purpose of influencing his presence or testimony at an official proceeding commits a class 4 felony. 18-8-603 (1)
45. ***Bribing a juror.*** A person who attempts to influence a juror's decision by offering or conferring any benefit upon the juror commits a class 4 felony. 18-8-606 (2)
46. ***Bribe-receiving by a juror.*** Any juror who accepts any benefit for the purpose of influencing his vote commits a class 4 felony. 18-8-607 (2)
47. ***Intimidating a juror.*** A person commits a class 4 felony, if he attempts to influence a juror's vote by use of threat of harm or injury to any person or property. 18-8-608 (2)
48. ***Jury tampering.*** Jury tampering in any class 1 felony trial is a class 4 felony. 18-8-609 (2)
49. ***Bribing a witness or victim.*** A person commits a class 4 felony when he offers or confers any benefit upon a witness or victim, in any official proceeding, members of the witness or victim's family, or persons in close relationship to or residing in the same household with a witness or victim in an attempt to influence that witness or victim. 18-8-703 (2)
50. ***Intimidating a witness or victim.*** If, in an attempt to influence a witness or victim, a person threatens harm or injury to any person or property, he commits a class 4 felony. 18-8-704 (2)
51. ***Tampering with a witness or victim.*** A person commits a class 4 felony if he attempts to influence a victim or witness without bribery or threats. 18-8-707 (2)
52. ***Arming rioters.*** If a person supplies a deadly weapon or destructive device for use in a riot, or teaches another to use such weapon or device in a riot, he commits a class 4 felony. 18-9-103 (2)
53. ***Engaging in a riot.*** If a person employs a deadly weapon or destructive device while engaged in a riot, he commits a class 4 felony. 18-9-104 (1)



**Elements of Offense****C.R.S. Citation**

54. ***Vehicular eluding.*** Any person who attempts to elude a peace officer while operating a motor vehicle, and which results in bodily injury to another person, commits a class 4 felony. 18-9-116.5
55. ***Failure to leave premises upon request of a peace officer.*** Any person who barricades or refuses police entry to any premises through use or threat of force, fails to leave upon request by a peace officer outside the structure, and holds another person hostage with use of a deadly weapon commits a class 4 felony. 18-9-119 (5)

**Offenses Against Public Peace, Order, and Decency**

56. ***Dog-fighting — penalty.*** Any person committing a second or subsequent violation commits a class 4 felony. 18-9-204 (2)

**Offenses Relating to Firearms and Weapons**

57. ***Possessing a dangerous or illegal weapon.*** A person who knowingly possesses a dangerous weapon commits a class 4 felony for a second violation and each subsequent violation. 18-12-102 (3)
58. ***Possession of weapons by previous offenders.*** A second or subsequent offense of possession of a weapon by a person who has previously been convicted of or adjudicated for a felony and when the weapon is a dangerous weapon or when the conviction was for or the adjudication was based on an offense involving burglary, arson, or any felony involving the use of force or the use of a deadly weapon is a class 4 felony. 18-12-108 (5)
59. ***Unlawfully providing or permitting a juvenile to possess a handgun.*** Any person who intentionally, knowingly, or recklessly provides a handgun to any person under the age of 18, or any parent or legal guardian of a person under 18 who knows of such juvenile's possession of a handgun and fails to make reasonable efforts to prevent such possession, commits unlawful providing or permitting a juvenile to possess a handgun, a class 4 felony. 18-12-108.7 (1) (b)
60. ***Unlawfully providing or permitting a juvenile to possess a handgun.*** Any parent or guardian who intentionally, knowingly, or recklessly provides a handgun to a juvenile or who permits a juvenile to possess a handgun, even though the parent or guardian is aware of a substantial risk, fails to make reasonable efforts to prevent the commission of the offense, commits the crime of unlawfully providing or permitting a juvenile to possess a handgun, a class 4 felony. 18-12-108.7 (2) (b)

**Elements of Offense****C.R.S. Citation**

61. *Possession, use, or removal of explosives or incendiary devices.* Any person who knowingly possesses or controls an explosive or incendiary device commits a class 4 felony. 18-12-109 (2)
62. *Possession, use, or removal of explosives or incendiary devices.* Any person who removes any explosive or incendiary device from the premises of a lawful possessor without his consent, commits a class 4 felony. 18-12-109 (5)
63. *Possession, use, or removal of explosives or incendiary devices.* Any person who possesses any explosive or incendiary parts commits a class 4 felony. 18-12-109 (6)
64. *Possession, use, or removal of explosives or incendiary devices.* Any person who possesses a valid permit issued under the provisions of article 7, title 9, C.R.S., or an employee of a permittee acting within the scope of his employment, who knowingly dispenses, distributes, or sells explosive or incendiary devices to a person not authorized to possess or control such devices, commits a class 4 felony. 18-12-109 (8)

**Miscellaneous Offenses**

65. *Dueling.* Persons who by agreement engage in a fight with deadly weapons commit dueling, which is a class 4 felony. 18-13-104 (2)
66. *Hazardous wastes violations.* Any person who abandons a vehicle containing hazardous wastes or intentionally spills such wastes on a street, highway, or public or private property without consent, commits a class 4 felony. 18-13-112 (3)

**Offenses — Making, Financing, or Collection of Loans**

67. *Extortionate extension of credit.* Any agreement between a creditor and a debtor to the effect that delay or failure in making repayment for extension of credit will result in the use of extortionate means of collection results in extortionate extension of credit, which is a class 4 felony. 18-15-102
68. *Collection of extensions of credit by extortionate means.* Any person who uses extortionate means to collect any extension of credit commits a class 4 felony. 18-15-107 (2)

**Elements of Offense**

**C.R.S. Citation**

**Uniform Controlled Substances Act of 1992**

69. ***Controlled substances.*** It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 4 felony: 18-18-405
- if the violation is based on the possession of a controlled substance listed in schedule II; or (2) (a) (I)
  - if a person is convicted of a first offense for such activity in the case of schedule III controlled substances; or (2) (b) (I)
  - if a person is convicted of a second or subsequent offense for such activity in the case of schedule IV controlled substances. (2) (c) (II)
70. ***Offenses relating to marijuana.*** The following offenses involving marijuana or marijuana concentrate are class 4 felonies: 18-18-406
- A second or subsequent conviction for possession of eight or more ounces of marijuana or any amount of marijuana concentrate; (4) (b) (II)
  - An initial conviction of dispensing (with consideration) over one ounce of marijuana by a person aged 18 or over to a person aged 15 to 17 or any amount of marijuana concentrate (with or without consideration) to a person under age 18; (7) (a)
  - An initial conviction of dispensing any amount of marijuana (with or without consideration) by a person aged 18 or over to a person under age 15; (7) (b)
  - An initial conviction of cultivating, growing, producing, processing, or manufacturing marijuana or its concentrate on land owned or controlled by the person or allowing such activities on his land; (8) (a) (II) (A)
  - An initial conviction of manufacturing, dispensing, selling, possessing, or distributing marijuana or its concentrate. (8) (b) (III) (A)
71. ***Unlawful acts.*** Violation of any of the unlawful acts listed in paragraphs (o) through (t) of section 18-18-414 (1) pursuant to the Uniform Controlled Substances Act. 18-18-414 (5)
72. ***Fraud and deceit.*** Violation of the provisions of section 18-18-415 regarding obtaining controlled substances by fraud or deceit is a class 4 felony if the violation is committed subsequent to a prior conviction for the same offense. 18-18-415 (2) (b)
73. ***Controlled substances —inducing consumption by fraudulent means.*** It is a class 4 felony when a person by means of fraud or misrepresentation, causes another to unknowingly consume any controlled substance. 18-18-416 (2)



## Elements of Offense

## C.R.S. Citation

74. *Imitation controlled substances.* The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 4 felony when the violation is committed subsequent to a prior conviction for the same offense. 18-18-422 (1) (b) (II)
75. *Imitation controlled substances.* Distribution of an imitation controlled substance by a person 18 or older to a person 18 or younger is a class 4 felony. 18-18-422 (2) (b) (I)

### **Class 4 Felonies, Not in the Criminal Code**

#### **Safety — Industrial and Commercial Explosives**

76. *Death by negligence.* Any person who knowingly and unlawfully places or allows explosives to be placed on a vehicle which results in the death of another commits a class 4 felony. 9-6-104

#### **Professions and Occupations Acupuncturists**

77. *Acupuncturists — grounds for disciplinary action.* Sexual contact, intrusion, or penetration with a patient during the course of patient care by an acupuncturist is a class 4 felony. 12-29.5-108 (3)

#### **Government — State Department of Human Services**

78. *Fraudulent acts.* Obtaining public assistance or vendor payments when not entitled, or public assistance or vendor payments greater than those to which one is justly entitled, by means of a willfully false statement or representation or by impersonation or by any other fraudulent device is a class 4 felony when the value of the assistance or payments is four hundred dollars or more but less than fifteen thousand dollars (see 18-4-401 (2) (c)). 26-1-127 (1)

#### **Colorado Public Assistance Act**

79. *Fraudulent acts.* Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 4 felony when the value of the stamps is four hundred dollars or more but less than fifteen thousand dollars (see 18-4-401 (2) (c)). 26-2-305 (1)
80. *Trafficking in food stamps.* Trafficking in food stamps is a class 4 felony if the value of the food stamps is \$400 or more but less than \$15,000. 26-2-306 (2) (c)

## **Elements of Offense**

## **C.R.S. Citation**

81. *Trafficking in food stamps.* Trafficking in food stamps twice or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the food stamps is \$400 or more but less than \$15,000. 26-2-306 (3)

### **Colorado Medical Assistance Act**

82. *Personal needs trust fund.* Unlawful use of a patient personal needs trust fund is a class 4 felony if the amount involved is \$400 or more but less than \$15,000. 26-4-504 (8) (d) (III)

### **Government — Local Hazardous Substance Incidents**

83. *Hazardous substance incidents.* Any person who intentionally causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 4 felony. 29-22-108 (1)

### **Agriculture — Branding and Herding**

84. *Theft of certain animals.* Any person who commits theft of, or knowingly kills, sells, drives, leads, transports, rides away, purchases, or in any manner deprives the owner of the immediate possession of any cattle, horses, mules, sheep, goats, swine, or asses, either live or slaughtered, commits a class 4 felony. 35-43-128

### **Regulation of Vehicles and Traffic**

85. *Accidents involving death or personal injuries.* Drivers involved in accidents resulting in death or personal injuries shall immediately stop and remain at the scene, and shall fulfill the requirements concerning giving of certain information and the rendering of aid. A person who violates any provision of this section commits a class 4 felony if the accident resulted in the death of any person. 42-4-1601 (2) (c)

### **Automobile Theft Law**

86. *Theft of motor vehicle parts.* Theft of motor vehicle parts two times or more within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 4 felony when the aggregate value of the things involved is fifteen thousand dollars or more. 42-5-104 (3)

## CLASS 5 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Inchoate Offenses

1. ***Criminal attempt.*** Criminal attempt to commit a class 4 felony is a class 5 felony. 18-2-101 (4)
2. ***Criminal conspiracy.*** Conspiracy to commit a class 4 felony is a class 5 felony. 18-2-206 (1)
3. ***Criminal solicitation.*** Any person who attempts to persuade another person to commit a class 4 felony commits a class 5 felony. (See 18-2-101 (4)). 18-2-301 (5)

#### Offenses Against the Person

4. ***Criminally negligent homicide.*** Any person who causes the death of another person by conduct amounting to criminal negligence commits criminally negligent homicide, a class 5 felony. 18-3-105
5. ***Assault in the first degree.*** If assault in the first degree is committed not after deliberation, but in the heat of passion caused by a highly provoking act of the victim, it is a class 5 felony. 18-3-202 (2) (a)
6. ***Vehicular assault.*** Any person who drives a motor vehicle in a reckless manner, and this conduct is the proximate cause of the serious bodily injury to another, commits a class 5 felony. 18-3-205 (1) (c)
7. ***Menacing.*** Any person who menaces another by use of a deadly weapon commits a class 5 felony. 18-3-206
8. ***Violation of custody.*** Any person who takes or entices any child under the age of 18 from the custody of his parents, guardian, or legal custodian, commits a class 5 felony. 18-3-304 (1)
9. ***Violation of custody.*** Any parent who violates an order of court granting custody of a child to any person, agency, or institution, with the intent to deprive the lawful custodian of the custody of the child commits a class 5 felony. 18-3-304 (2)

#### Offenses Against Property

10. ***Third degree burglary.*** A person who enters or breaks into any vault, safe, cash register, coin vending machine, product dispenser, money depository, safety deposit box, coin telephone, coin box, etc., commits a class 5 felony. 18-4-204 (2)



**Elements of Offense****C.R.S. Citation**

21. ***Defrauding a secured creditor or debtor.*** A person who intends to defraud a creditor by rendering any security interest worthless or enforceable by disposing of any collateral subject to a security interest commits a class 5 felony if the value of the collateral is four hundred dollars or more but less than fifteen thousand dollars. 18-5-206 (1) (c)
22. ***Defrauding a secured creditor or debtor.*** A creditor who intends to defraud a debtor by encumbering a promissory note or contract signed by the debtor commits a class 5 felony if the amount owing on such note or contract is four hundred dollars or more but less than fifteen thousand dollars. 18-5-206 (2) (c)
23. ***Unlawful activity concerning the selling of land.*** If any person, with intent to defraud, sells the same land twice, he commits a class 5 felony. 18-5-302 (1)
24. ***Failure to pay over assigned accounts.*** A class 5 felony is committed when an assignor for the collection of a debt account fails to pay the assignee any money collected from the debtor, where the sum of money involved is one hundred dollars or more. 18-5-502
25. ***Concealment or removal of secured property.*** If a person has given security interest in personal property and conceals or removes the encumbered property from Colorado without written consent, he commits a class 5 felony where the amount of the proceeds withheld is one hundred dollars or more. 18-5-504
26. ***Failure to pay over proceeds.*** Any person giving security interest and retaining possession of the encumbered property and having liberty of sale or other disposition, and who wrongfully fails to pay to the secured creditor the amounts due on account thereof, commits a class 5 felony where the amount of the proceeds withheld is one hundred dollars or more. 18-5-505
27. ***Unauthorized use of a financial device.*** Any person who uses a financial transaction device for the purpose of obtaining cash, credit, property, or services or for making financial payment, with intent to defraud, commits the unauthorized use of a financial device. If such cash, credit, property, or services obtained or financial payments made exceeds four hundred dollars or more but less than fifteen thousand dollars, it is a class 5 felony. 18-5-702 (3) (c)
28. ***Criminal possession of a financial transaction device.*** Any person who has in his possession four or more financial transaction devices issued to different account holders with the intent to defraud or which he knows to be lost, stolen, or delivered under a mistake commits a class 5 felony. 18-5-703 (4)

**Elements of Offense****C.R.S. Citation**

11. ***Possession of burglary tools.*** Possession of any explosive, tool, instrument, or other article adapted, designed, or commonly used for committing or facilitating burglary is a class 5 felony. 18-4-205 (2)
12. ***Theft.*** Theft from another person by means other than the use of force, threat, or intimidation is a class 5 felony without regard to the value of the thing taken. 18-4-401 (5)
13. ***Theft of rental property.*** If a person engages in the theft of rental property when the value is four hundred dollars or more, but less than fifteen thousand dollars, it is a class 5 felony. 18-4-402 (4)
14. ***Theft of rental property.*** Theft of rental property twice or more within a period of six months without having been placed in jeopardy for prior offenses and the aggregate value of the property is four hundred dollars or more but less than fifteen thousand dollars is a class 5 felony. 18-4-402 (6)
15. ***Theft of trade secrets.*** Any person who steals or discloses to an unauthorized person a trade secret or makes or causes to be made a copy of an article representing a trade secret commits theft of a trade secret. If a second or subsequent offense is committed within five years of a prior conviction, it is a class 5 felony. 18-4-408 (3)
16. ***Aggravated motor vehicle theft.*** Aggravated motor vehicle theft in the second degree is a class 5 felony if committed by a person who has been twice previously convicted of charges separately brought and tried. 18-4-409 (4)
17. ***First degree criminal trespass.*** A person who unlawfully enters a building or enters a car with intent to steal anything of value commits a class 5 felony. 18-4-502
18. ***Third degree criminal trespass.*** It is a class 5 felony if a person unlawfully enters or remains on premises classified as agricultural land, with the intent to commit a felony. 18-4-504 (2) (b)

**Offenses Involving Fraud**

19. ***Forgery.*** A person commits forgery, a class 5 felony if, with intent to defraud, such person falsely makes, completes, or alters a written instrument listed in paragraphs (a) through (g) of section 18-5-102 (1). 18-5-102 (2)
20. ***Offering a false instrument for recording.*** Any person who offers a false instrument for recording with intent to defraud commits a class 5 felony. 18-5-114 (2)

**Elements of Offense****C.R.S. Citation**

29. ***Sale of a financial transaction device.*** Any person who, with intent to defraud, sells or has in his possession to sell, any financial transaction device which he knows to be lost, stolen, forged, altered, counterfeited, or delivered under a mistake, commits a class 5 felony. 18-5-704 (1)
30. ***Criminal possession of a blank financial transaction device.*** Any person who has in his possession two or more blank financial transaction devices and who intends to use, deliver, circulate, or sell them without the authorization of the issuer or manufacturer commits a class 5 felony. 18-5-705 (3)
31. ***Sale of a blank financial transaction device.*** Any person who delivers, circulates, or sells one blank financial transaction device which has not been embossed or magnetically encoded with the name of the account holder, personal identification code, expiration date, or other proprietary institutional information commits a class 5 felony. 18-5-705 (4)
32. ***Unlawful manufacture of a financial transaction device.*** A person commits a class 5 felony if he commits unlawful manufacture of a financial transaction device, with intent to defraud, by: a) falsely making or manufacturing such a device; b) falsely altering or adding codes or information to such a device; or c) falsely completing such a device. 18-5-707 (3)
33. ***Equity skimming.*** Equity skimming of real property is a class 5 felony. 18-5-802 (3)

**Computer Crime**

34. ***Computer crime.*** Any person who uses a computer or computer system for committing theft, or for false or fraudulent purposes, commits computer crime. If such loss, damage, or thing of value involved in the computer crime is four hundred dollars or more but less than fifteen thousand dollars, it is a class 5 felony. 18-5.5-102 (3)

**Offenses Involving the Family Relations**

35. ***Pretended criminal abortion.*** Any person who intentionally pretends to end the real or apparent pregnancy of a woman by means other than justified medical termination or birth commits a class 5 felony. 18-6-103 (2)

**Wrongs Against At-risk Adults and At-risk Juveniles**

36. ***Crimes against at-risk adults and at-risk juveniles.*** Any person whose conducts amounts to criminal negligence when the negligence results in serious bodily injury to an at-risk adult or at-risk juvenile commits a class 5 felony. 18-6.5-103 (2) (b)



## Elements of Offense

## C.R.S. Citation

37. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits a crime of assault in the third degree when the victim is an at-risk adult or at-risk juvenile commits a class 5 felony. 18-6.5-103 (3) (c)
38. ***Crimes against at-risk adults and at-risk juveniles.*** Any person who commits theft, and commits any element of the offense in the presence of the victim when the victim is an at-risk adult or at-risk juvenile commits a class 5 felony. 18-6.5-103 (5)

## **Offenses Relating to Morals**

39. ***Prostitution with knowledge of being infected with AIDS.*** Prostitution with knowledge of being infected with AIDS is a class 5 felony. 18-7-201.7 (2)
40. ***Pandering.*** Any person who induces another person by menacing or criminal intimidation to commit prostitution or by arranging for another to practice prostitution commits a class 5 felony. 18-7-203 (2)

## **Offenses — Governmental Operations**

41. ***Accessory to crime.*** Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted is suspected of or wanted for a class 1 or class 2 felony. 18-8-105 (4)
42. ***Accessory to crime.*** Being an accessory to crime is a class 5 felony if the offender knows that the person being assisted has committed, or has been convicted of, or is charged with, or is suspected of or wanted for a felony other than a class 1 or class 2 felony. 18-8-105 (5)
43. ***Disarming a peace officer.*** Disarming a peace officer is a class 5 felony. A person commits disarming a peace officer if he knowingly, without justification and without consent, removes the firearm of a peace officer who is acting under color of his official authority. 18-8-116 (2)
44. ***Aiding escape from mental hospital.*** Any person who aids the escape of an inmate in a mental hospital knowing the person was committed pursuant to the criminal insanity statute commits a class 5 felony. 18-8-201.1
45. ***Escape.*** A person who has been confined pursuant to the criminal insanity law commits a class 5 felony if he escapes his confinement and travels outside of the state of Colorado. 18-8-208 (6) (c)
46. ***Escape.*** A person commits a class 5 felony if he escapes while in custody or confinement pursuant to the "Uniform Extradition Act." 18-8-208 (8)

**Elements of Offense****C.R.S. Citation**

47. ***Attempt to escape.*** If a person, while in custody or confinement and held for or charged with but not convicted of a felony, attempts to escape from the custody or confinement, he commits a class 5 felony. 18-8-208.1 (2)
48. ***Escape.*** A person who is in custody or confinement for a felony offense which is unclassified and escapes commits a class 5 felony. 18-8-210
49. ***Riots in correctional institutions.*** A person confined in any correctional institution commits a class 5 felony if, during a riot, he intentionally disobeys an order to move, disperse, or refrain from specified activities. 18-8-211 (3)
50. ***Embezzlement of public property.*** A class 5 felony is committed when a public servant converts public moneys or properties to his own use or to any use other than the public use as authorized by law. 18-8-407 (2)
51. ***Jury tampering.*** Knowing participation in the fraudulent processing or selection of jurors or prospective jurors or attempting to communicate with or influence jurors other than as a part of the official trial proceedings is a class 5 felony. 18-8-609 (2)

**Offenses Against Public Peace, Order, and Decency**

52. ***Inciting riot.*** Any person who incites, urges, instructs, or signals a group of five or more persons to engage in a riot and injury to a person or damage to property results therefrom commits a class 5 felony. 18-9-102 (3)
53. ***Harassment by stalking.*** A person commits harassment by stalking by making a credible threat to another person, and in connection with the threat, repeatedly follows that person or a member of that persons's immediate family. For a second offense within 7 years of the date of the prior conviction it is considered a class 5 felony. 18-9-111 (5) (a.5)
54. ***Vehicular eluding.*** Vehicular eluding is a class 5 felony when no bodily injury or death occurs. 18-9-116.5
55. ***Failure to leave premises on request of peace officer.*** Any person who barricades or refuses police entry to any premises through use or threat of force and fails to leave upon request by a peace officer outside the structure, and holds a hostage by feigning possession of a deadly weapon commits a class 5 felony. 18-9-119 (7)
56. ***Terrorist training activities.*** Any person who teaches, demonstrates, practices with, or is instructed in the use, application, or making of firearms, explosive or incendiary devices, or techniques capable of causing injury or death and who knows that the same will be used in the furtherance of a civil disorder commits a class 5 felony. 18-9-120 (2)

## **Elements of Offense**

## **C.R.S. Citation**

57. ***Ethnic intimidation.*** Knowingly causing bodily injury to another person because of that person's race, color, religion, ancestry, or national origin constitutes a class 5 felony. 18-9-121 (3)
58. ***Killing dogs in contest.*** Any person or association of persons who advertise, conduct, or otherwise promote any contest the object of which is the fighting of dogs for monetary gain or entertainment commits a class 5 felony. 18-9-204 (2)
59. ***Unlawful ownership of dangerous dog.*** Any person who owns a dangerous dog when the dog causes the death of a person commits a class 5 felony. 18-9-204.5 (3) (d)
60. ***Wiretapping and eavesdropping devices prohibited.*** Any person who possesses instruments or devices for wiretapping or eavesdropping with intent to unlawfully use or employ such devices commits a class 5 felony upon a second or subsequent offense. 18-9-302

## **Gambling**

61. ***Professional gambling.*** A person who engages in professional gambling and is a repeated gambling offender commits a class 5 felony. 18-10-103 (2)

## **Offenses Involving Disloyalty**

62. ***Insurrection.*** Any person who intentionally, by force, resists the execution of state law or engages or participates with any armed force to invade the state, commits the class 5 felony of insurrection. 18-11-102 (2)
63. ***Advocating overthrow of government.*** Anyone who advocates the destruction or overthrow of the government of the United State or of Colorado by violent force or action commits sedition, which is a class 5 felony. 18-11-201 (2)
64. ***Membership in anarchistic and seditious associations.*** Any person who is a member of an unlawful organization which advocates violent and forceful change in the state of Colorado or in the United States commits a class 5 felony. 18-11-203 (2)

## **Offenses Relating to Firearms and Weapons**

65. ***Possessing a dangerous or illegal weapon.*** A person who knowingly possesses a dangerous weapon commits a class 5 felony. 18-12-102 (3)
66. ***Stunguns.*** The use of a stungun in the commission of a criminal offense is a class 5 felony. 18-12-106.5



**Elements of Offense****C.R.S. Citation**

67. ***Offenses relating to firearms.*** Any person who has within five years previously been convicted of possessing an illegal weapon, possessing a defaced firearm, unlawfully carrying a concealed weapon, or using a weapon in a prohibited manner, shall upon conviction for a second or subsequent offense be guilty of a class 5 felony. 18-12-107
68. ***Illegal discharge of a firearm.*** Illegal discharge of a firearm is a class 5 felony. 18-12-107.5 (3)
69. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (2) (b)
70. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the offender's conviction for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous conviction was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (2) (c)
71. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the person's adjudication for a felony, or for attempt or conspiracy to commit a felony, is a class 5 felony when the weapon is a dangerous weapon. 18-12-108 (4) (b)
72. ***Possession of weapons by previous offenders.*** Possession of a weapon by a previous offender subsequent to the offender's adjudication for a felony, or for conspiracy or attempt to commit a felony, is a class 5 felony when the previous adjudication was for burglary, arson, or any felony involving the use of force or a deadly weapon. 18-12-108 (4) (c)
73. ***Possession of handguns by juveniles.*** Possession of any handgun by a person who has not attained the age of 18 years is a class 5 felony for a second or subsequent offense. 18-12-108.5 (1) (c) (II)
74. ***Possession of explosives.*** Any person who manufactures or possesses or who gives, mails, sends, or causes to be sent any false, facsimile, or hoax explosive or incendiary device to another person or places any such purported explosive or incendiary device in or upon any real or personal property commits a class 5 felony. 18-12-109 (7)

## Elements of Offense

## C.R.S. Citation

### **Miscellaneous Offenses**

75. ***Violation concerning sale of secondhand property.*** Upon a second or subsequent conviction within a three-year period, any dealer in secondhand property who fails to make record of a sale exceeding thirty dollars, to deliver such record to local law enforcement agencies, or to retain such record for a one-year period commits a class 5 felony. 18-13-114 (6) (a)

### **Offenses — Making, Financing, or Collection of Loans**

76. ***Financing extortionate extensions of credit.*** Any person advancing money or property to another whom he reasonably suspects will use such money or property for the purpose of making an extortionate extension of credit commits a class 5 felony. 18-15-105

### **Uniform Controlled Substances Act of 1992**

77. ***Unlawful use of a controlled substance.*** Any person who uses any controlled substance, except its lawful administration for bona fide medical needs, commits a class 5 felony in the case of a schedule I or II controlled substance. 18-18-404 (1) (a)
78. ***Unlawful activity relating to controlled substances.*** It is unlawful to manufacture, dispense, sell, possess, or distribute a controlled substance, and it is a class 5 felony:
- if a person is convicted of a first offense for such activity in the case of schedule IV controlled substances; or (2) (c) (I)
  - if a person is convicted of a second or subsequent offense for such activity in the case of schedule V controlled substances. (2) (d) (II)
79. ***Offenses relating to marijuana.*** The following offenses relating to marijuana or marijuana concentrate are class 5 felonies: 18-18-406
- a second or subsequent conviction for possession of more than one ounce but less than eight ounces of marijuana; (4) (a) (II)
  - an initial conviction for possession of eight ounces or more of marijuana or any amount of marijuana concentrate. (4) (b) (I)
80. ***Fraud and deceit.*** Violation of any of the provisions of section 18-18-415 regarding obtaining a controlled substance by fraud, deceit, misrepresentation, or subterfuge is a class 5 felony. 18-18-415 (2) (a)
81. ***Imitation controlled substances.*** The manufacture, distribution, or possession with intent to distribute an imitation controlled substance is a class 5 felony. 18-18-422 (1) (b) (I)

**Elements of Offense****C.R.S. Citation**

82. ***Counterfeit substances.*** The knowing intent to manufacture, deliver, or possess or to intentionally make, distribute, or possess any equipment designed to reproduce a counterfeit controlled substance is a class 5 felony. 18-18-423 (3)

**Offenses Related to Limited Gaming**

83. ***Violation of taxation provisions.*** Any person who makes any false or fraudulent return in attempting to defeat or evade taxes imposed by the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (a)
84. ***Violation of taxation provisions — gaming.*** Any person who, twice or more within one year, fails to pay tax due within 30 days after the date due, or fails to file a return within 30 days after the date the return is due, pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (d)
85. ***Violation of taxation provisions — gaming.*** Any person who wilfully aids or assists in, or procures, counsels, or advises the preparation or presentation of a return, affidavit, claim, or other document which is fraudulent or false pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-103 (1) (e)
86. ***False statement on application.*** Any person who knowingly makes a false statement in any application for a license or who provides false or misleading information or who fails to keep books and records to substantiate receipts or expenses or who falsifies any books or records related to any transaction connected with limited card games or slot machines or who knowingly violates any of the provisions of or rules and regulations promulgated pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-104
87. ***Slot machines.*** Any violation of the provisions of section 18-20-105 (1) regarding the requirements for shipping notices of slot machines commits a class 5 felony. 18-20-105 (1)
88. ***Cheating.*** Cheating at any limited gaming activity is a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-106 (3)
89. ***Fraudulent acts — gaming.*** Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-107 (2)



**Elements of Offense****C.R.S. Citation**

90. ***Use of device for calculating probabilities.*** Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-108 (2)
91. ***Counterfeit or unapproved chips or tokens — unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession or unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 5 felony when the offender has been issued a license pursuant to the Act and is a repeat gambling offender. 18-20-109 (8)
92. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 5 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-110 (2)
93. ***Manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.*** Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 5 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act and is a repeat gambling offender. 18-20-111 (4)
94. ***Excluded and ejected persons.*** Any person who enters the licensed premises of a limited gaming licensee or who has any personal pecuniary interest in any limited gaming licensee or establishment when that person's name is on the list of persons who are to be excluded and ejected from such premises commits a class 5 felony. 18-20-112 (3)
95. ***False or misleading information.*** Any person who provides any false or misleading information pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 18-20-114 (2)

**Elements of Offense**

**C.R.S. Citation**

**Class 5 Felonies, Not in the Criminal Code**

**Election Offenses**

96. *Penalties for election offenses — forgery.* Anyone who forges, makes, or alters any ballot, petition, nomination paper, or letter of acceptance, declination, or withdrawal, commits forgery in the second degree, which is a class 5 felony. 1-13-106

**Colorado Antitrust Act of 1992**

97. *Illegal restraint; monopolization; bid rigging.* Violation of any of the provisions of sections 6-4-104, 6-4-105, or 6-4-106 of the Colorado Antitrust Act of 1992 regarding illegal restraint or trade or commerce, monopolization, and bid-rigging is a class 5 felony. 6-4-117 (2)

**Colorado Charitable Solicitations Act**

98. *Charitable fraud.* The commission of charitable fraud according to section 6-16-111 (1) (b), (c), (d), (f), or (g) is a class 5 felony. 6-16-111 (2)
99. *Charitable fraud.* Charitable fraud pursuant to section 6-16-111 (1) (a) or (e) involving three separate contributors in any one solicitation campaign is a class 5 felony. 6-16-111 (3)

**Division of Labor — Industrial Claim Appeals Office**

100. *Penalty for false statements — Industrial Commission — Division of Labor.* If, under the statutory provisions of the sections concerning the Industrial Commission — Division of Labor, anyone willfully makes a false statement or misrepresentation for the purposes of obtaining benefit under said section, he commits a class 5 felony. 8-1-144

**Labor and Industry — Enforcement and Penalties**

101. *Penalty for false statements/Workers' Compensation Act of Colorado.* If anyone willfully makes a false statement or misrepresentation material to the claim in order to obtain benefits under articles 40 to 47 of title 8, Colorado Revised Statutes, concerning labor benefits, he or she commits a class 5 felony. 8-43-402

**Elements of Offense****C.R.S. Citation****Financial Institutions — State Banking Commissioner**

102. *Penalty for violation or non-performance of duties concerning the State Banking Commission.* Any person who willfully fails to perform any act required, or commits any act in violation of his duties concerning bank examinations and liquidations, commits a class 5 felony. 11-20-117

**Financial Institutions — Organization and Powers**

103. *Defrauding savings and loan associations.* Any employee of any savings and loan association who attempts to steal or defraud the association of any of its funds, securities, or properties, commits a class 5 felony. 11-41-127 (1)

**Professions and Occupations — Acupuncturists**

104. *Acupuncturists — grounds for disciplinary action.* A subsequent violation within three years of the date of conviction of any of the provisions of section 12-29.5-106 (1) (a) through (i), C.R.S., outlining grounds for disciplinary action for acupuncturists is a class 5 felony. 12-29.5-108 (1)

**Medical Practice**

105. *Unprofessional conduct.* Dispensing or injecting an anabolic steroid unless dispensed pursuant to a written prescription or dispensed by a practitioner is a class 5 felony. 12-36-129 (2.5)

**Professions and Occupations — Mental Health**

106. *Mental health occupations.* A subsequent violation within three years of a previous conviction of any of the provisions regarding mandatory disclosure of information to clients; title use restrictions; performing outside of the area of training, experience or competence; using any designation implying licensure when such license has been revoked; and selling or fraudulently obtaining or furnishing a license to practice is a class 5 felony. 12-43-707 (2)

**Professions and Occupations — Alcoholic Beverages**

107. It is a class 5 felony, in the case of an establishment licensed to sell alcoholic beverages, to permit or authorize gambling activity, except that which is conducted by an authorized nonprofit organization. 12-47-128 (5) (n) (II)



**Elements of Offense****C.R.S. Citation****Colorado Limited Gaming Act**

108. ***Violation of taxation provisions — gaming.*** Any person who makes any false or fraudulent return in an attempt to defeat or evade taxes imposed pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (a)
109. ***Violation of taxation provisions — gaming.*** Any person who, twice within a year, fails to pay taxes due or file a return pursuant to the Colorado Limited Gaming Act commits a class 5 felony. 12-47.1-603 (1) (d)
110. ***Violation of taxation provisions — gaming.*** Any person who willfully aids, assists, procures, counsels, or advises, in any matter before the Colorado Limited Gaming Control Commission, a return, affidavit, claim, or other document which is fraudulent or contains false information, commits a class 5 felony. 12-47.1-603 (1) (e)
111. ***False statement on application.*** Any person who knowingly makes a false statement in any application for a license, or who fails to keep books and records to substantiate receipts or expenses, or who falsifies any books or records relating to any transaction connected with any limited gaming, or who knowingly violates any of the provisions of the provisions of the Colorado Limited Gaming Act or any rule or regulation promulgated by the Colorado Limited Gaming Control Commission commits a class 5 felony. 12-47.1-802
112. ***Slot machines — shipping notices.*** Violation of any of the provisions regarding the shipping or importing of a slot machine into the State of Colorado is a class 5 felony. 12-47.1-803 (1) (b)
113. ***Cheating.*** Cheating at any limited gaming activity by an owner, employee of, or player at a limited gaming establishment is a class 5 felony if the person is a repeat gambling offender. 12-47.1-822 (3)
114. ***Fraudulent acts — gaming.*** Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 5 felony if the person is a repeat gambling offender. 12-47.1-823 (2)
115. ***Use of a device for calculating probabilities.*** Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 5 felony when the person is a repeat gambling offender. 12-47.1-824 (2)

**Elements of Offense****C.R.S. Citation**

116. ***Counterfeit or unapproved chips or tokens — unlawful devices, equipment, products, or materials.*** Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials commits a class 5 felony when the person is a repeat gambling offender. 12-47.1-825 (8)
117. ***Cheating game and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-826 (2)
118. ***Manufacture, sale, distribution of equipment and devices associated with limited gaming.*** Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 5 felony when the offender is a repeat gambling offender. 12-47.1-827 (4)
119. ***Unlawful entry.*** Unlawful entry into the premises of a licensed gaming establishment by a person whose name is on the list of persons who are to be excluded and ejected from gaming establishments is a class 5 felony. 12-47.1-828 (3)
120. ***False or misleading information.*** Providing any false or misleading information pursuant to the Colorado Limited Gaming Act is a class 5 felony. 12-47.1-839 (2)

**Professions and Occupations — Outfitters and Guides**

121. ***Issuance of certificate of registration.*** A second or subsequent conviction of any of the provisions regarding the requirements for issuance of a certificate of registration for outfitters is a class 5 felony. 12-55.5-107.5 (1)

**Professions and Occupations — Pawnbrokers**

122. ***Pawnbrokers.*** A second or subsequent conviction for a violation of article 56 of title 12 within three years of the date of a prior conviction constitutes a class 5 felony. 12-56-104 (4)
123. ***Pawnbrokers.*** Any customer who knowingly gives false information with respect to the information a pawnbroker is required to obtain and keep, commits a class 5 felony. 12-56-104 (5)

## **Elements of Offense**

## **C.R.S. Citation**

### **Domestic Matters — Parent and Child**

124. *Nonsupport of spouse and children.* Any person who willfully neglects, fails, or refuses to provide reasonable support and maintenance for his spouse or for his children commits a class 5 felony. 14-6-101 (1)

### **Colorado Medical Treatment Decision Act**

125. *Colorado Medical Treatment Decision Act.* Any person who falsifies or forges a declaration of another commits a class 5 felony. 15-18-113 (2)

### **State History, Archives and Emblems**

126. *Punishment for illegal use of state emblems and symbols.* Illegal use of the seal of the state of Colorado is a class 5 felony. 24-80-902

### **Government — State Department of Public Health and Environment**

127. *Department of Public Health — penalties.* An attempt or threat to tamper with a public water system or with drinking water after its withdrawal for or treatment by a public water system is a class 5 felony. 25-1-114 (5) (b) (II)

### **Government — Local Hazardous Substance Incidents**

128. *Hazardous substance incidents.* Any person who willfully, recklessly, or with criminal negligence causes or substantially contributes to the occurrence of a hazardous substance incident commits a class 5 felony. 29-22-108 (2)

### **Wildlife — Law Enforcement and Penalties**

129. *Illegal sale of wildlife.* It is unlawful for any person to sell or purchase or offer for sale or purchase any wildlife or to solicit another person in the illegal taking of any wildlife for the purpose of monetary or commercial gain or profit. Violation with respect to big game, endangered species, or eagles, constitutes a class 5 felony. 33-6-113 (2) (a)
130. *Willful destruction of wildlife.* It is unlawful for any person to take or to solicit another person to take any wildlife and detach or remove, with the intent to abandon the carcass or body, only the head, hide, claws, teeth, antlers, horns, internal organs, or feathers or any or all of such parts or to kill and abandon any wildlife. Violation, with respect to big game, eagles and endangered species is a class 5 felony. 33-6-117 (1) (a)



**Elements of Offense****C.R.S. Citation****Agriculture — Slaughter, Processing, and Sale of Meat Animals**

131. *Sale of diseased meat.* The unlawful sale of diseased meat for slaughter or human consumption is a class 5 felony. 35-33-204 (2)

**Agriculture — Sale of Stock**

132. *Selling livestock without bill of sale — theft.* Any person who sells livestock which does not carry the seller's brand, or for which he has no bill of sale or power of attorney, is guilty of a class 5 felony (see section 18-4-401 (5)). 35-54-105 (1)

**Property — Real and Personal — Lien on Wells and Equipment**

133. *Penalty for removing property covered by a lien on well or equipment.* Any person who removed property covered by a lien on a well or equipment when the lien has been filed is guilty of a class 5 felony (see section 18-4-401(5)). 38-24-108

**Taxation — Procedure and Administration**

134. *Tax amnesty program.* The following violations involving the tax amnesty program are class 5 felonies: 39-21-118
- willfully attempting to evade or defeat any tax administered; 39-21-118 (1)
  - failing to collect or account for or pay such tax; 39-21-118 (2)
  - willfully making or subscribing a return, statement, or document that is not true or not correct as to every material matter; and 39-21-118 (4)
  - willfully aiding or assisting in the fraudulent or false giving of information. 39-21-118 (5)

**Taxation — Income Tax**

135. *Residential energy credit.* Violation of any of the provisions regarding allocation of energy credits to a commercial lending institution is a class 5 felony. 39-22-114 (5) (c)

**Elements of Offense**

**C.R.S. Citation**

**Automobile Theft Law**

136. ***Stolen motor vehicle parts.*** Any person who buys, sells, exchanges, or alters the appearance of a motor vehicle or motor vehicle part which is the property of another, or any person who aids in the commission of any such act and who knows or should know that such motor vehicle or motor vehicle part is stolen property, commits a class 5 felony. 42-5-102 (1)
137. ***Stolen motor vehicle parts.*** Any person who, except as needed for legitimate repairs, removes, alters, or obliterates a motor vehicle identification number, manufacturer's number, or engine number or who knowingly possesses a motor vehicle or motor vehicle part containing a removed, altered, or obliterated vehicle identification number, manufacturer's number, or engine number commits a class 5 felony. 42-5-102 (2)
138. ***Tampering with a motor vehicle.*** Tampering with a motor vehicle is a class 5 felony if the damage is \$400 or more but less than \$15,000. 42-5-103 (2) (b)
139. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts is a class 5 felony if the value of the thing involved is \$400 or more but less than \$15,000. 42-5-104 (2) (b)
140. ***Theft of motor vehicle parts.*** Theft of motor vehicle parts two or more times within a period of six months without having been placed in jeopardy for the prior offense or offenses is a class 5 felony if the aggregate value of the things involved is \$400 or more but less than \$15,000. 42-5-104 (3)

## CLASS 6 FELONIES

### Elements of Offense

### C.R.S. Citation

#### Inchoate Offenses

1. ***Criminal attempt.*** Criminal attempt to commit a class 5 or class 6 felony is a class 6 felony. 18-2-101 (4)
2. ***Criminal attempt.*** Criminal attempt to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-101 (5)
3. ***Conspiracy.*** Conspiracy to commit a felony defined outside of the criminal code and for which no penalty is specified is a class 6 felony. 18-2-201 (5)
4. ***Conspiracy.*** Conspiracy to commit a class 5 or class 6 felony is a class 6 felony. 18-2-206 (1)

#### Offenses Against the Person

5. ***Assault in the second degree.*** When assault in the second degree is committed upon a sudden heat of passion, caused by a highly provoking act of the victim, affecting the person causing the assault sufficiently to excite an irresistible passion in a reasonable person, it is a class 6 felony. 18-3-203 (2) (a)
6. ***Sex offenders against children — duty to register.*** Failure to register as a convicted sex offender or submitting false information on a registration form is a class 6 felony for a second or subsequent offense. In addition to any other penalty, a mandatory one-year sentence to the Department of Corrections is imposed for this offense. 18-3-412.5 (4)

#### Offenses Against Property

7. ***Theft of medical records or medical information.*** Any person who obtains medical records or medical information without authorization and who uses the records or information for his own use or the use of another commits theft of medical records or medical information, which is a class 6 felony. 18-4-412 (3)
8. ***Unlawful transfer for sale of sound recordings.*** Any person who, without the consent of the owner, transfers any copyrighted sound recordings with the intent to sell such article on which such sounds are recorded or to cause the same to be sold for profit, commits a class 6 felony. 18-4-602 (2)

#### Offenses Involving Fraud

9. ***Criminal possession of first degree forged instrument.*** Any person who possesses a forged instrument and intends to use the instrument to defraud, commits a class 6 felony. 18-5-105

**Elements of Offense****C.R.S. Citation**

10. ***Criminal possession of forgery devices.*** Any person who possesses forgery devices with the intent to fraudulently use them commits a class 6 felony. 18-5-109 (2)
11. ***Criminal impersonation.*** Any person who assumes a false or fictitious identity or capacity and in such identity or capacity does an act with intent to unlawfully gain a benefit for himself or another or to injure or defraud another commits a class 6 felony. 18-5-113 (2)
12. ***Fraud by check.*** Fraud by check is a class 6 felony if the fraudulent check was for the sum of \$400 or more, or if the offender is convicted of fraud by check involving the issuance of two or more checks within any 60 day period, or if the offender has been twice previously convicted under this section. 18-5-205 (3) (c)
13. ***Fraud by check.*** Fraud by check is a class 6 felony if the fraudulent check was drawn on an account which did not exist or which had been closed for a period of 30 days or more prior to issuance of the check. 18-5-205 (3) (d)
14. ***Issuing a false financial statement.*** A person who issues two or more false financial statements for the purpose of obtaining two or more financial transaction devices in order to obtain property, services, or money commits a class 6 felony. 18-5-209 (5)
15. ***Receiving deposits in a failing financial institution.*** Any officer, manager, or other person directing a financial institution, who receives deposits or investments, knowing that the institution is insolvent, commits a class 6 felony. 18-5-210
16. ***Unlawful activity concerning the selling of land.*** Any person who knowingly makes a false representation as to the existence of an ownership interest in land which he has as a seller or which his principal has, and which is relied upon, commits a class 6 felony. 18-5-302 (2)
17. ***Commercial bribery and breach of duty to act disinterestedly.*** A person commits a class 6 felony if he solicits, accepts, or agrees to accept any benefit as consideration for knowingly violating or agreeing to violate a duty of fidelity to which he is subject. 18-5-401 (1)
18. ***Commercial bribery and breach of duty to act disinterestedly.*** A person who holds himself out to the public as being engaged in the business of making disinterested selection, appraisal, or criticism of commodities, property, or services commits a class 6 felony if he knowingly solicits, accepts, or agrees to accept any benefit to alter, modify, or change his selection, appraisal, or criticism. 18-5-401 (2)



**Elements of Offense****C.R.S. Citation**

19. ***Commercial bribery and breach of duty to act disinterestedly.*** A person commits a class 6 felony if he confers or offers or agrees to confer any benefit the acceptance of which would be a felony under subsections 18-5-401(1) and 18-5-401(2). 18-5-401 (3)
20. ***Bribery in sports.*** Any person involved in bribery in sports contests or of sports participants commits a class 6 felony. 18-5-403 (3)
21. ***Fraudulent receipt.*** A warehouseman who fraudulently issues a receipt for goods knowing that the goods have not been actually received by the warehouseman, or are not under his actual control at the time of issuing the receipt, commits a class 6 felony. 18-5-506
22. ***Duplicate receipt not marked.*** A warehouseman who issues a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods is outstanding and uncanceled, without placing upon the face thereof the word "duplicate", commits a class 6 felony. 18-5-508
23. ***Criminal possession of a financial transaction device.*** Any person who has in his possession two or three financial transaction devices with the intent to defraud or which he knows to be lost, stolen, or delivered under a mistake commits a class 6 felony. 18-5-703 (3)
24. ***Criminal possession of a blank financial transaction device.*** Any person who has in his possession a blank financial transaction device and who intends to use, deliver, circulate, or sell it without the authorization of the issuer or manufacturer commits a class 6 felony. 18-5-705 (2)
25. ***Criminal possession of forgery devices.*** A person commits a class 6 felony if he possesses any tools, photographic equipment, printing equipment, or other device used in the unauthorized manufacture, printing, embossing, magnetic encoding, or altering of a financial transaction device. 18-5-706 (2)
26. ***Equity skimming.*** Equity skimming of a vehicle is a class 6 felony. 18-5-803 (2)

**Offenses Involving the Family Relations**

27. ***Bigamy.*** Any married person who, while still married, marries or cohabits with another commits bigamy which is a class 6 felony. 18-6-201 (2)
28. ***Crimes against at-risk adults and at-risk juveniles.*** A crime against an at-risk adult or at-risk juvenile is a class 6 felony when the crime amounts to criminal negligence resulting in bodily injury. 18-6.5-103 (2) (c)

## Elements of Offense

## C.R.S. Citation

### **Offenses Relating to Morals**

29. **Obscenity.** Wholesale promotion of obscenity to a minor is a class 6 felony. 18-7-102 (1.5) (b)
30. **Obscenity.** Promotion of obscenity to a minor is a class 6 felony. 18-7-102 (2.5) (b)
31. **Patronizing a prostitute with knowledge of being infected with AIDS.** Patronizing a prostitute with knowledge of being infected with AIDS is a class 6 felony. 18-7-205.7 (2)
32. **Indecent exposure.** A subsequent offense of indecent exposure to a child following a second conviction for the offense is a class 6 felony. 18-7-302 (4)

### **Offenses Related to Governmental Operations**

33. **Accessory to crime.** Being an accessory to a crime is a class 6 felony when the crime is a class 6 felony. 18-8-105 (5)
34. **False report of explosives.** Any person who reports that a bomb or other explosive, chemical or biological agent, poison or weapon, or harmful radioactive substance has been placed in any public or private place or vehicle, knowing that the report is false, commits a class 6 felony. 18-8-110
35. **Introducing contraband in the second degree.** Any person who introduces contraband, as defined in this section, into a detention facility commits a class 6 felony. 18-8-204 (3)
36. **Possession of contraband in the first degree.** Any person confined in a detention facility who possesses contraband (other than a dangerous instrument) commits a class 6 felony. 18-8-204.1 (2)
37. **Violation of bail bond conditions.** If a person has been accused of a felony and is released on bail bond, he commits a class 6 felony if he knowingly fails to appear for trial or if he knowingly violates the condition of the bail bond. 18-8-212 (1)
38. **Compensation for official behavior.** A person commits a class 6 felony if he accepts compensation for having, as a public servant, given a decision, opinion, recommendation, or vote favorable to another or for having otherwise exercised a discretion in his favor, or if he offers compensation for such a favor. 18-8-303 (1)
39. **Designation of supplier prohibited.** Any public servant who requires or directs a bidder or contractor to deal with a particular person in procuring goods or services required in submitting a bid to or fulfilling a contract with any government commits a class 6 felony. 18-8-307 (4)

**Elements of Offense****C.R.S. Citation**

40. ***Misuse of official information.*** Any public servant, in contemplation of official action by himself or in reliance on information to which he has access in his official capacity and which has not been made public, commits a class 6 felony if he: (1) acquires a pecuniary interest in any property, transaction, or enterprise which may be affected by such information or official action; or (2) speculates or wagers on the basis of such information or official action; or (3) aids, advises, or encourages another to do any of the foregoing with intent to confer on any person a special pecuniary benefit. 18-8-402 (2)
41. ***Issuing a false certificate.*** A public servant who is authorized to make and issue official certificates or other official written instruments commits a class 6 felony if he makes and issues such an instrument containing a statement which he knows is false. 18-8-406
42. ***Tampering with physical evidence.*** Tampering with physical evidence is a class 6 felony. 18-8-610 (3)

**Offenses Against Public Peace, Order and Decency**

43. ***Harassment by stalking.*** A person commits harassment by stalking by making a credible threat to another person, and in connection with the threat, repeatedly follows that person or a member of that persons' immediate family. A person commits a class 6 felony for a first offense. 18-9-111 (5) (a)
44. ***Firearms, explosives, or incendiary devices in facilities of public transportation.*** A person commits a class 6 felony if, without legal authority, he has any loaded firearm or explosive or incendiary device in his possession in, or carries, or brings any of such items into, any facility of public transportation. 18-9-118
45. ***Unlawful ownership of dangerous dog.*** Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon a person is a class 6 felony for a second or subsequent violation. 18-9-204.5 (3) (c)
46. ***Wiretapping prohibited.*** Wiretapping is a class 6 felony. 18-9-303 (2)
47. ***Eavesdropping prohibited.*** Eavesdropping is a class 6 felony. 18-9-304 (2)
48. ***Illegal telecommunications equipment.*** Any person who makes, possesses, or uses illegal telecommunications equipment, or who furnishes or sells such equipment to another, commits a class 6 felony if it is the second or subsequent violation within five years of a previous conviction. 18-9-309 (2)

## **Elements of Offense**

## **C.R.S. Citation**

49. ***Unlawful use of information.*** Any person who, having obtained information pursuant to a court order for wiretapping or eavesdropping, knowingly uses, publishes, or divulges the information to any person or in any manner not authorized by law commits a class 6 felony. 18-9-310

### **Offenses Involving Gambling**

50. ***Possession of gambling devices.*** Possession of gambling devices by a repeated gambling offender is a class 6 felony. 18-10-105 (2)
51. ***Gambling information.*** Any person who knowingly transmits or receives gambling information commits a class 6 felony if he is a repeating gambling offender. 18-10-106 (1)
52. ***Gambling premises.*** A repeat gambling offender who maintains gambling premises commits a class 6 felony. 18-10-107 (3)

### **Offenses Involving Disloyalty**

53. ***Inciting destruction of life or property.*** Any person who advocates the unlawful destruction of private or public property by the use of physical force, or the unlawful injury of any person, or the unlawful taking of human life, as a policy or course of conduct, under circumstances constituting a clear and present danger that violent action will result therefrom, commits a class 6 felony. 18-11-202

### **Miscellaneous Offenses**

54. ***Criminal libel.*** It is a class 6 felony to publish or disseminate any statement or object tending to blacken the memory of one who is dead, or to impeach the reputation or expose the natural defects of one who is alive, exposing him to public hatred, contempt, or ridicule. 18-13-105 (3)

### **Offenses — Making, Financing, or Collection of Loans**

55. ***Criminal usury.*** Any person who knowingly charges, takes, or receives any money or other property as a loan finance charge where the charge exceeds an annual percentage rate of forty-five percent or the equivalent for a longer or shorter period commits a class 6 felony. 18-15-104 (1)
56. ***Financing criminal usury.*** Any person who finances criminal usury commits a class 6 felony. 18-15-106



**Elements of Offense****C.R.S. Citation**

57. ***Records of criminal usury.*** Any person who possesses or conceals records of criminally serious transactions with intent to aid, assist, or facilitate criminal usury commits a class 6 felony. 18-15-108 (1)

**Offenses Related to Purchases of Valuable Articles**

58. ***Violation of "Purchase of Valuable Articles" statute.*** Any person who violates the provisions of article 16 of title 18, concerning the purchase and sale of valuable articles, or who knowingly gives false information regarding the seller of a valuable article commits a class 6 felony. 18-16-108

**Offenses Related to Limited Gaming**

59. ***Cheating.*** Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-106 (3)
60. ***Fraudulent acts.*** Violation of any of the provisions of section 18-20-107 regarding fraudulent acts pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-107 (2)
61. ***Use of device for calculating probabilities.*** Any person who uses or possesses a device intended to project the outcome of a game, keep track of cards played, analyze the probability of the occurrence of an event in the game or analyze the strategy for playing a game pursuant to the Colorado Limited Gaming Act commits a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-108 (2)
62. ***Counterfeit or unapproved chips or tokens — unlawful coins or devices.*** Violation of any of the provisions of section 18-20-109 regarding the use of counterfeit or unapproved chips or tokens or unlawful coins or devices or the possession of unlawful devices, equipment, products or materials pursuant to the Colorado Limited Gaming Act is a class 6 felony when the offender has been issued a license pursuant to the Act. 18-20-109 (8)
63. ***Cheating game and devices.*** Any person who knowingly conducts or allows any cheating or thieving game or conducts any game played with cards or a mechanical device which has been marked commits a class 6 felony when the person has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-110 (2)

## **Elements of Offense**

## **C.R.S. Citation**

64. ***Manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming.*** Any person who violates any of the provisions of section 18-20-111 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment or devices related to limited gaming commits a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 18-20-111 (4)

### **Class 6 Felonies, Not in the Criminal Code**

#### **Offenses Related to the Election Code**

65. ***False information regarding residence.*** Any person who votes by giving a false place of residence commits a class 6 felony. 1-2-228  
1-13-709.5

#### **Offenses Related to Consumer and Commercial Affairs**

66. ***Promoting pyramid promotional scheme.*** Anyone who is convicted of a second or subsequent offense of promoting a pyramid promotional scheme commits a class 6 felony. 6-1-114

#### **Offenses Related to Labor and Industry**

67. ***Armed guards.*** Anyone who brings workmen into this state under arms, or removes them from one place to another under arms, without a permit from the governor, commits a class 6 felony. 8-2-106

#### **Offenses Related to Industrial and Commercial Safety**

68. ***Willful negligence to observe construction requirement.*** If any lives are lost by reason of the willful negligence and failure to observe the construction and fire regulations for buildings to be used for public assemblages, the person through whose default such loss of life was occasioned commits a class 6 felony. 9-1-106
69. ***Unlawfully transporting explosives.*** Any person who unlawfully transports explosives in violation of Article 6 of Title 9 commits a class 6 felony. 9-6-103

#### **Offenses Related to Insurance**

70. ***Violation of insurance laws.*** Any person who violates the provisions of Article 8 of Title 10 (Regulation of Insurance Holding Companies), commits a class 6 felony. 10-3-810

## Elements of Offense

## C.R.S. Citation

### **Offenses Related to Financial Institutions**

71. ***Violation of banking laws.*** Any person responsible for any act or omission expressly declared to be criminal by the banking code, if the act or omission was intended to defraud, commits a class 6 felony. 11-11-108 (1) (b)
72. ***Violation of industrial banking laws.*** Any person associated with an industrial bank who embezzles or misapplies funds of an industrial bank in an amount exceeding five thousand dollars commits a class 6 felony. 11-22-114 (3)
73. ***Violation of securities act.*** Any person who violates the provisions of the "Securities Act" (Article 51 of Title 11) commits a class 6 felony. 11-51-603 (2)
74. ***Violation of "Uniform Facsimile Signature of Public Officials Act".*** Any person who violates the provisions of Article 55 of Title 11 commits a class 6 felony. 11-55-105

### **Offenses Related to Professions and Occupations**

75. ***Violation of automobile dealer "Antimonopoly Financing Law".*** Any person who violates the provisions of Part 2 of Article 6 of Title 12 commits a class 6 felony. 12-6-210
76. ***Farm products.*** A person who makes fraudulent charges or returns for the handling, sale, or storage or for any service in connection with the handling, sale, or storage of farm products commits a class 6 felony. 12-16-115 (1) (a)
- Willfully failing or refusing to render a true account of sales or storage or to make a settlement thereon to pay for farm products received within the time and in the manner required by part 1 of article 16 of title 12 constitutes a class 6 felony. 12-16-115 (1) (b)
  - Intentionally making false or misleading statements as to market conditions for farm products or false or misleading statements as to the condition, quality, or quantity of farm products received, handled, sold, or stored constitutes a class 6 felony. 12-16-115 (1) (c)
  - Engaging in fictitious sales, in collusion, or in unfair practices to defraud the owners constitutes a class 6 felony. 12-16-115 (1) (d)
  - Acting as a dealer, small volume dealer, agent, or transporter without having obtained a license or acting as a dealer or agent without having executed and delivered a surety bond as provided in part 1 of article 16 of title 12, constitutes a class 6 felony. 12-16-115 (1) (e)

**Elements of Offense****C.R.S. Citation**

77. ***Farm commodity warehousing.*** Making fraudulent charges or returns for the handling, sale, or storage or for the rendering of any service in connection with the handling, sale, or storage of any commodities constitutes a class 6 felony. 12-16-221 (1) (a)
- Willfully failing or refusing to render a true account of sales or storage or to make a settlement thereon or to pay for commodities received within the time and in the manner required by part 2 of article 16 of title 12 constitutes a class 6 felony. 12-16-221 (1) (b)
  - Intentionally making false or misleading statements as to the market conditions for commodities or false or misleading statements as to the condition, quality, or quantity of commodities received, handled, sold, or stored constitutes a class 6 felony. 12-16-221 (1) (c)
  - Engaging in fictitious sales, in collusion, or in unfair practices to defraud the owners constitutes a class 6 felony. 12-16-221 (1) (d)
  - Acting as a commodity handler without a license or filing a surety bond or letter of credit constitutes a class 6 felony. 12-16-221 (1) (e)
  - Willfully altering or destroying any negotiable warehouse receipt or the record of such receipt or issuing a receipt without preserving a record thereof; or issuing a receipt when the commodity described is not available; or issuing, with intent of defraud, a second receipt for a commodity for which a valid negotiable warehouse receipt is already outstanding and in force; or while any valid receipt is outstanding and in force, selling, pledging, mortgaging, encumbering, or transferring a commodity in violation of the provisions of part 2 of article 16 of title 12 without the written consent of the holder of the receipt constitutes a class 6 felony. 12-16-221 (1) (j)
78. ***Drugs and druggists.*** Violating any of the provisions of part 1 of article 22 of title 12, for a second or subsequent time, constitutes a class 6 felony. 12-22-127
79. ***False advertising of cancer cure.*** Any person who is convicted of a third or subsequent offense of willfully and falsely representing a device, substance, or treatment as being of value in the treatment, alleviation, or cure of cancer, commits a class 6 felony. 12-30-107 (2)
80. ***Podiatrists.*** Any person who presents as his own the diploma, license, certificate, or credentials of another, or who gives false or forged evidence to the Colorado Podiatry Board in connection with the application for license to practice podiatry, or who practices podiatry under an assumed name or who falsely impersonates a licensee commits a class 6 felony. 12-32-109 (1.5)



**Elements of Offense****C.R.S. Citation**

81. ***Medical practice.*** A second or subsequent offense of any person, association or corporation practicing medicine without complying with the provisions of article 36 of title 12 is a class 6 felony. 12-36-129 (1)
- A person who practices medicine under a false or assumed name or who uses false or forged evidence to obtain a license commits a class 6 felony. 12-36-129 (2)
82. ***Midwifery — unlawful practices.*** Any person who practices direct-entry midwifery without first complying with the registration requirements and the disclosure requirements for a second or subsequent offense commits a class 6 felony. 12-37-108
83. ***Practicing nursing without a license.*** A professional or practical nurse who practices without a license or during suspension of a license, or who fraudulently obtains a license commits a class 6 felony if convicted of a second or subsequent violation with three years of the first violation. 12-38-123 (2)
84. ***Nurse aide — unlawful acts.*** A subsequent violation of any of the provisions of section 12-38.1-118 (1), C.R.S., regarding the practice and certification of nurse aides is a class 6 felony. 12-38.1-118 (2)
85. ***Nursing home administrator — unlawful acts.*** A subsequent violation within 3 years of the date of a first conviction of any of the provisions of section 12-39-116, C.R.S., regarding the practice and licensure of nursing home administrators is a class 6 felony. 12-39-116 (2)
86. ***Practice of optometry.*** Violation of any of the provisions of article 40 of title 12 regarding the practice of optometry for a third or subsequent offense is a class 6 felony. 12-40-124
87. ***Procuring food or accommodations with intent to defraud.*** Any person who procures food or accommodations with intent to defraud and without making payment, and the amount due under the agreement with the public establishment is more than fifty dollars, commits a class 6 felony. 12-44-102
88. ***Cheating.*** Cheating at any limited gaming activity is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-822 (3)
89. ***Fraudulent acts — gaming.*** Violation of any of the provisions of section 12-47.1-823 regarding fraudulent gaming acts is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-823 (2)

## Elements of Offense

## C.R.S. Citation

90. ***Use of a device for calculating probabilities.*** Use or possession of any device used to assist in projecting the outcome of a game, keep track of cards played, or analyze the probability of an event occurring or the strategy for playing or betting is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-824 (2)
91. ***Counterfeit or unapproved chips or tokens — unlawful devices, equipment, products, or materials.*** Violation of any of the provisions of section 12-47.1-825 regarding the use of counterfeit or unapproved chips or tokens, unlawful coins or devices, and the possession of certain unlawful devices, equipment, products, or materials is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-825 (8)
92. ***Cheating game and devices.*** Knowingly conducting, operating, or allowing any cheating or thieving game or device, or knowingly dealing, conducting, or operating any game with cards or devices which have been marked or tampered with is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-826 (2)
93. ***Manufacture, sale, distribution of equipment and devices associated with limited gaming.*** Violation of any of the provisions of section 12-47.1-827 regarding the unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming is a class 6 felony when the offender has been issued a license pursuant to the Colorado Limited Gaming Act. 12-47.1-827 (4)
94. ***Acting as subdivision developer without registering.*** Any person who acts as a subdivision developer without having been properly and legally registered commits a class 6 felony. 12-61-407

## **Offenses Related to Courts and Court Procedure**

95. ***Confidentiality — courts.*** Releasing information regarding a decision of a court of record before such decision is publicly announced by the court is a class 6 felony. 13-1-128 (4)
96. ***Avoiding writ.*** Any person who attempts to avoid a writ of habeas corpus commits a class 6 felony. 13-45-114

## Elements of Offense

## C.R.S. Citation

### **Offenses Related to Education**

97. ***Interest in contracts — penalty.*** Neither the Commissioner of Education nor any treasurer, superintendent, or other officer or agent shall be directly or indirectly interested in any contract or other agreement for building, repairing, furnishing, or supplying said school, and no drawbacks or secret discounts whatever shall be given to or received by any such person on account of any articles or materials furnished to or labor done for said school. Any person violating the provisions of this section commits a class 6 felony. 22-80-108

### **Offenses Related to State Government**

98. ***Personal profit on state moneys unlawful.*** If the State Treasurer or any employee in the Department of the Treasury accepts any fee in consideration of the deposit of state moneys with any person or in consideration of any agreement or arrangement touching upon the use of state moneys he commits a class 6 felony. 24-22-110
99. ***Unlawful acts — State Treasurer.*** Any person who pays to the State Treasurer or an employee of that office any fee in consideration of the deposit or investment of state moneys with any person commits a class 6 felony. 24-22-111
100. ***Procedures — vouchers and warrants.*** Any person (State Treasurer or Controller or any other state officer or employee) who receives any profit in consideration of the loan or deposit of state moneys for any purpose not authorized by law commits a class 6 felony. 24-30-202 (15)
101. ***Procedures — vouchers and warrants.*** Any person who offers compensation to the State Treasurer or Controller or to any other state officer or employee in consideration of the loan or deposit with such person of state moneys commits a class 6 felony. 24-30-202 (16)
102. ***False claims for disaster relief.*** Any person who fraudulently makes a misstatement of fact in connection with an application for financial assistance for disaster relief and who thereby receives assistance to which he is not entitled commits a class 6 felony. 24-32-2503
103. ***State lottery.*** Any person violating any disclosure provision required under the state lottery statute by providing any false or misleading information commits a class 6 felony. 24-35-215 (4)

## **Elements of Offense**

## **C.R.S. Citation**

104. ***Public printing contracts — penalty for bribe.*** Any person who either offers to pay another not to bid for a public printing contract or any person who accepts payment for not bidding for a public printing contract commits a class 6 felony. 24-70-220

### **Offenses Related to the Military and Veterans**

105. ***Misuse of property and funds by military.*** Any officer or enlisted person who misuses military property or funds commits a class 6 felony. 28-3-701

### **Offenses Related to Wildlife, Parks, and Outdoor Recreation**

106. ***License agents — reports — board of claims.*** Any license agent who fails to account for licenses or who fails to pay over to the division its authorized representative moneys received from the sales of licenses, when the amount in question is two hundred dollars or more, commits a class 6 felony. 33-4-101 (11) (b)
107. ***Pass and registration agents — reports — board of claims.*** Any pass or registration agent who fails to account for passes and registrations or who fails to pay over to the division or its authorized representative moneys received from the sale of passes and registrations when the amount in question is two hundred dollars or more, commits a class 6 felony. 33-12-104 (11) (b)

### **Offenses Related to Mineral Resources**

108. ***Mining equipment — violation.*** Any person who violates the provisions of law concerning mining equipment and the transportation thereof commits a class 6 felony. 34-46-105
109. ***Failure to account for mine proceeds.*** Any owner, manager, or agent employed in extracting gold who neglects to account for, or pay over and deliver, all the proceeds thereof to the owner commits a class 6 felony. 34-53-104

### **Offenses Related to Agriculture**

110. ***Chemigation — penalties.*** Utilization of chemigation without a permit is a class 6 felony. 35-11-115 (1)
111. ***Wrongful branding — penalty.*** Any person who brands an animal which is the property of another or obliterates an existing brand is guilty of theft (theft by means other than the use of force, intimidation, or threat is a class 6 felony without regard to the value of the thing taken — see section 18-4-401(5)). 35-43-116

## Elements of Offense

## C.R.S. Citation

112. ***Who may take up estrays.*** Any person who takes into custody and retains possession of any estray without notifying the State Board of Stock Inspection Commissioners within the time provided by statute is guilty of a class 6 felony. 35-44-108
113. ***Concealing estray.*** Any person who conceals any estray found or taken into his custody, or changes any mark or brand thereon, or carries the same beyond the county limits, or knowingly allows the same to be done, or neglects to notify or give information of estrays to the State Board of Stock Inspection Commissioners is guilty of a class 6 felony. 35-44-111
114. ***Shipping prior to inspection.*** Any person who violates the provisions of the law concerning the transportation of livestock commits a class 6 felony, if it is for a third or subsequent violation. 35-53-112 (1)
115. ***Wrongful use of inedible meat.*** Any person who adds to, mixes with, or substitutes an inedible meat for food intended to be used for human consumption commits a class 6 felony. 35-59-113

## **Offenses Related to Natural Resources**

116. ***Weather modification.*** Any person who fails to obey an order issued by the director of the Department of Natural Resources to cease conducting weather modification because of the lack of a permit or a license commits a class 6 felony. 36-20-123 (2) (b)
117. ***Weather modification.*** Any person responsible for conducting a weather modification operation without first having procured a license and permit or any person who contracts with another person known to be unlicensed and without a permit to conduct a weather modification operation commits a class 6 felony. 36-20-126 (1) (a)

## **Offenses Related to Water and Irrigation**

118. ***Penalty for fraud by officer of water and irrigation district.*** Any officer of a water or irrigation district who misuses district money commits a class 6 felony. 37-7-104
119. ***Officer interested in contracts.*** Any drainage district officer who is interested in any contract awarded by the board or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-24-107
120. ***Officer interested in contracts.*** Any director or officer of the Grand Junction Drainage District who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-31-123



## Elements of Offense

## C.R.S. Citation

121. *Officer interested in contracts.* Any director or officer of an irrigation district who is interested in any contract awarded by the board, or in the profits thereof, or who receives a bribe or gratuity, commits a class 6 felony. 37-41-108
122. *Officer interested in contracts.* Same offense as above as applied to Irrigation District Law of 1921 is a class 6 felony. 37-42-110 (6)
123. *Officer interested in contracts.* Same offense as described above and as applied to officers or directors of an Internal Improvement district is a class 6 felony. 37-44-142

## **Offenses Related to Real and Personal Property**

124. *Altering or using altered certificate.* Any person who alters or forges or causes to be altered or forged any certificate issued pursuant to the provisions of article 29 or title 38, or any written transfer thereof, or any other notation placed thereon by the director or under his authority respecting the mortgaging of the manufactured have therein described or who uses or attempts to use any such certificate for the transfer thereof, knowing the same to have been forged or altered, commits a class 6 felony. 38-29-121
125. *Theft of certificate.* Theft of a certificate of title to real estate is a class 6 felony. 38-36-192
126. *Fraudulently procuring certificate of title to land.* Whoever fraudulently procures any certificate of title to land commits a class 6 felony. 38-36-194
127. *Forging seal or signature.* Any person who forges the seal of the registrar of titles commits a class 6 felony. 38-36-195

## **Offenses Related to Taxation**

128. *Department of Revenue employees.* Any officer or employee of the department of revenue who: (1) extorts or willfully oppresses any person through use of his authority; (2) knowingly demands greater sums than are authorized by law or receives any fee, compensation, or reward for the performance of his job; (3) makes opportunity for any person to defraud the state by intentionally failing to perform his duty; (4) conspires or colludes with any other person to defraud the state; (5) knowingly makes opportunity for any person to defraud the state; (6) commits or omits to do any act with the intent to enable any other person to defraud the state; or (7) makes or signs any fraudulent entry in any book or makes or signs any 39-21-112 (7) (b)

**Elements of Offense****C.R.S. Citation**

fraudulent certificate, return, or statement; or (8) fails to report to the executive director in writing any information concerning a violation of any revenue law; or (9) demands directly or indirectly, any sum of money for the settlement of any charge or complaint commits a class 6 felony. 39-21-112 (7) (b)  
(continued)

129. ***Officers or employees taking fees or rewards.*** Any executive director or any inheritance or gift tax analyst or other employee of the Department of Revenue who takes or demands for his own use any fees or rewards from any person commits a class 6 felony. 39-23-150

130. ***Motor fuel and special fuel tax — no distributor license.*** It is unlawful for any person to act as a refiner of motor fuel or as a distributor first receiving motor fuel in this state without having a license therefor. If a person engages in such a business without a license he commits a class 6 felony. 39-27-104 (3)

**Offenses Related to Utilities**

131. ***Owner driving stock on track.*** If the owner of any stock drives any stock on the line of the track of any railway company with intent to injure the company he commits a class 6 felony. 40-27-101

**Offenses Related to Vehicles and Traffic**

132. ***Driving after judgment of habitual offender.*** Any person who has been adjudged a habitual traffic offender and who subsequently drives a car commits a class 6 felony. 42-2-206 (1)

133. ***Altering or using altered certificate.*** Any person who alters or forges or causes to be altered or forged any certificate of title to any automobile commits a class 6 felony. 42-6-143

## UNCLASSIFIED FELONIES

### Elements of Offense

### C.R.S. Citation

1. ***Making profit on public money.*** The making of profit, directly or indirectly, out of state, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, is a felony. Colorado Constitution, Article X, Section 13
2. ***Riots in detention facilities.*** It is a felony if a person engages in a riot in a detention facility, but does not employ a deadly weapon or destructive device: 18-8-211 (2) (b). The punishment is imprisonment in a correctional facility for not less than two years nor more than ten years.
3. ***Knowing endangerment.*** Any person who knowingly releases into the air any hazardous air pollutant and who knows at the time that such action places another person in imminent danger or death or serious bodily injury is guilty of a felony. 25-7-122.1 (3) (a) Punishment is a maximum fine of \$50,000 per each day of violation or up to four years imprisonment or both.
4. ***Hazardous waste.*** Transporting hazardous waste to a facility having no permit; making any false statement or representation in any document filed or used for purposes of compliance with the law; and destroying, altering, or concealing any record required to be maintained pursuant to the statutes regarding storage, treatment, transportation, disposal, or handling of hazardous waste is a felony. 25-15-310 (3). The punishment is a fine of up to \$50,000 per day of violation or up to four years imprisonment or both.
5. ***Officers not to reveal information.*** Revealing information which is stamped confidential pertaining to mine and metallurgical processes, ore bodies or deposits, or to the location, course, or character of underground workings is a felony. 34-21-106 (2). The punishment is a fine of \$1,000 to \$5,000 and removal from position.
6. ***False or fraudulent return, statement - penalty.*** Any person or corporation who willfully violates any of the provisions of section 39-26-120 regarding false or fraudulent sales tax returns commits a felony. 39-26-120 (2). The punishment is a fine of \$100,000 to \$500,000.

## SECTION 2 — MISDEMEANORS

This section contains a current listing of misdemeanor offenses. Misdemeanor offenses are categorized as follows: class 1, class 2, class 3, class 1 traffic offenses, class 2 traffic offenses, and unclassified misdemeanors. The penalty for the commission of a certain misdemeanor offense depends on its classification. The general possible penalty scheme for misdemeanors is indicated in the chart below.

MISDEMEANOR OFFENSES	MINIMUM	MAXIMUM
<b>CLASS 1</b>	6 Months jail /\$500 fine, or both jail and fine.	18 months jail/ \$5,000 fine, or both jail and fine.
<b>Extraordinary Risk Crime*</b>	6 Months jail /\$500 fine, or both jail and fine.	24 months jail/ \$5,000 fine, or both jail and fine.
<b>CLASS 2</b>	3 months jail/ \$250 fine, or both jail and fine.	12 months jail/ \$1,000 fine, or both jail and fine.
<b>CLASS 3</b>	\$50 fine.	6 months jail/ \$750 fine, or both jail and fine.
<b>CLASS 1 traffic offense</b>	10 days jail/ \$100 fine, or both jail and fine.**	1 year jail/\$1,000 fine, or both jail and fine.
<b>CLASS 2 traffic offense</b>	10 days jail/ \$10 fine, or both jail and fine.**	90 days jail/ \$300 fine, or both jail and fine.
<b>Unclassified</b>	specified in statute	specified in statute
<p>* Misdemeanor offenses which present an extraordinary risk of harm to society include the following: 1) Child Abuse, 2) Third Degree Assault, and 3) Third Degree Sexual Assault.</p> <p>** Certain traffic offenses may carry a points assessment against the offender's driver's license pursuant to Section 42-2-127, C.R.S.</p>		

It is important to note that *not all* persons convicted of a misdemeanor offense receive a sentence to the county jail. In fact, many offenders receive a sentence to probation. The jail time indicated in the above chart is the sentencing range for those persons who are incarcerated for their misdemeanor conviction.

The crimes in this listing are grouped according to the statutory title in which they appear. In addition, those crimes that appear in title 18 are further designated by their article. For example, crimes in title 18, article 3 are identified as "Offenses Against the Person." Title 18 crimes are listed first in each category, the other offenses are organized sequentially by numerical title.

**NOTE:** All listings are current through 1996 session laws.

<b><u>Offense</u></b>	<b><u>C.R.S. Citation</u></b>
16. Violation of a restraining order when the restrained person has previously been convicted of violation of a restraining order or an analogous municipal ordinance, or when the restraining order is issued pursuant to section 18-1-1001	18-6-803.5 (2) (a)
17. Knowing neglect of an at-risk adult or knowingly acting in a manner likely to be injurious to the physical or mental welfare of an at-risk adult	18-6.5-103 (6)

#### **Offenses Relating to Morals**

18. Wholesale promotion of obscenity	18-7-102 (1) (b)
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#### **Offenses — Governmental Operations**

19. Indecent exposure to a child following a prior conviction for any such offense	18-7-302 (3)
20. Concealing death thereby preventing a determination of the cause of death	18-8-109
21. Abuse of public records	18-8-114 (1)
22. Aiding escape if the person aided was in custody or confinement and charged with, held for, or convicted of a misdemeanor or a petty offense	18-8-201 (6)
23. Possession of contraband in the second degree	18-8-204.2 (2)
24. Escape while confined pursuant to insanity statute (article 8, title 16, C.R.S.) if charged with a misdemeanor at the proceeding in which person was committed	18-8-208 (6) (a)
25. Escape while confined pursuant to insanity statute (article 8, title 16, C.R.S.) if charged with a felony at the proceeding in which person was committed	18-8-208 (6) (b)
26. Trading in public office	18-8-305 (3)
27. Perjury in the second degree	18-8-503 (2)
28. Failure of a peace officer to report use of force by another peace officer	18-8-802 (1) (c)
29. Inciting riot, if no injury to person or property	18-9-102 (3)
30. Desecration of place of worship or burial of human remains	18-9-113 (1) (b)
31. Failure or refusal to leave premises or property through use of or threatened use of force after being requested to do so by a peace officer or holding another person hostage during the same episode; recklessly or knowingly causing a peace officer to believe that he possesses a deadly weapon	18-9-119 (4)



<b><u>Offense</u></b>	<b><u>C.R.S. Citation</u></b>
32. Placing another person in fear of imminent lawless action directed at that person or that person's property while knowing that such words or conduct will likely produce bodily injury to that person or that person's property; or knowingly causing damage to or destruction to another person's property because of that person's race, color, religion, ancestry, or national origin.	18-9-121 (3)
33. Cruelty to animals	18-9-202 (2) (a)
34. Ownership of a dangerous dog when the dog inflicts serious bodily injury to another person	18-9-204.5 (3) (c)
35. Tampering or drugging of livestock	18-9-207
<b>Gambling</b>	
36. Engaging in professional gambling -- first offense	18-10-103 (2)
<b>Offenses Relating to Firearms and Weapons</b>	
37. Possession of an illegal weapon	18-12-102 (4)
38. Possession of a defaced firearm	18-12-103
39. Defacing a firearm	18-12-104
40. Possession of a weapon by a person previously convicted of a felony or for attempt or conspiracy to commit a felony	18-12-108 (2) (a)
41. Possession of a weapon by a person previously adjudicated for an act which, if committed by an adult, would constitute a felony, or subsequent to a person's adjudication for attempt or conspiracy to commit a felony	18-12-108 (4) (a)
<b>Miscellaneous Offenses</b>	
42. Violation of the provisions of, or providing false information pursuant to section 18-13-111, regarding purchases of copper or copper alloy, aluminum, or magnesium	18-13-111 (3)
43. Failure of secondhand dealer to keep records of each sale or trade of secondhand property or failure to maintain required information pursuant to such sale	18-13-114 (6) (a)
44. Trading with a secondhand dealer, or any secondhand dealer who knowingly gives false information pursuant to information required by section 18-13-114 (2)	18-13-114 (6) (b)

**Offense****C.R.S. Citation****Offenses — Making, Financing, or Collection of Loans**

45. Violation of the provisions of section 18-15-109 regarding loan finders 18-15-109 (4)

**Uniform Controlled Substances Act of 1992**

46. Unlawful use of a controlled substance listed in schedule III, IV, or V of part 3 of article 22 of title 12 18-18-104 (1) (b)
47. Unlawful distribution of controlled substances listed in schedule V of part 2 of article 18 of title 18 18-18-405 (2) (d) (I)
48. Possession of more than one ounce of marihuana but less than eight ounces 18-18-406 (4) (a) (I)
49. Violation of any of the provisions of section 18-18-411 regarding keeping, maintaining, controlling, renting, or making available property for unlawful distribution or manufacture of controlled substances 18-18-411 (4)
50. Publication of any advertisement or solicitation in order to promote the distribution of imitation controlled substances 18-18-422 (3) (b)

**Offenses Related to Limited Gaming**

51. Failure to pay tax due under the Colorado Limited Gaming Act within 30 days after the return is due 18-20-103 (1) (b)
52. Failure to file a return required by the Colorado Limited Gaming Act within 30 days after the return is due 18-20-103 (1) (c)
53. Cheating pursuant to the Colorado Limited Gaming Act, by a person other than a licensee 18-20-106 (3)
54. Committing any fraudulent act pursuant to the Colorado Limited Gaming Act, by a person other than a licensee 18-20-107 (2)
55. Using a device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee 18-20-108 (2)
56. Using counterfeit or unapproved chips or tokens or unlawful coins or devices; possession of certain unlawful devices, equipment, products, or materials pursuant to the Colorado Limited Gaming Act by a person other than a licensee 18-20-109 (8)
57. Conducting any cheating game or using any cheating device pursuant to the Colorado Limited Gaming Act by a person other than a licensee 18-20-110 (2)

**Offense****C.R.S. Citation**

58. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices associated with limited gaming pursuant to the Colorado Limited Gaming Act by a person other than a licensee 18-20-111 (4)

**Class 1 Misdemeanors, Not in the Criminal Code****Election Code Offenses**

59. Making a false certificate in connection with an election 1-13-105

**Uniform Commercial Code**

60. Knowing falsification of a reposessor bond application or misrepresentation of information contained in the application 4-9-503.5 (5)

**Consumer and Commercial Affairs Offenses**

61. Promoting a pyramid promotional scheme or commission of any deceptive trade practice by a hearing aid dealer 6-1-114
62. Conducting business as a commercial telephone seller without having registered with the attorney general and after receiving notice of noncompliance from the attorney general or district attorney. 6-1-305 (1) (a)
63. Knowingly engaging in any unlawful telemarketing practice as defined in section 6-1-304 (1) (b) to (1) (h). 6-1-305 (1) (b)

**Offenses Related to Financial Institutions**

64. Violation of statute governing industrial banks 11-22-114 (2)
65. Embezzlement of funds from industrial bank of less than \$5,000 11-22-114 (3)
66. Violation of statute governing industrial banks for which no other penalty is provided 11-22-117
67. Performing any duty or exercising any power of a credit union after suspension or removal order 11-30-106 (8) (b) (IV)
68. Performing any duty or exercising any power of a domestic savings and loan association after suspension or removal order 11-44-106.5 (2) (c)

**Offense****C.R.S. Citation****Offenses Related to Professions and Occupations**

- |   |                    |
|---|--------------------|
| 69. Any violation of part 1 of article 6 of title 12 regarding the licensure of motor vehicle dealers   | 12-6-121           |
| 70. Violation of any of the provisions regarding slaughterers by any person, company, or corporation within three years of a previous violation   | 12-11-109 (2)      |
| 71. Unlawful butchering of another's animals  | 12-11-110 (3)      |
| 72. Violation of the provisions of section 12-14-128 (1) through (4) of the Colorado Fair Debt Collection Practices Act   | 12-14-129          |
| 73. Violation of any of the provisions of article 14.5 of title 12, the Colorado Credit Services Organization Act   | 12-14.5-110 (1)    |
| 74. Committing fraud or deception in the procurement of a farm products license   | 12-16-115 (1) (g)  |
| 75. Failure to comply with any lawful order of the Commissioner of Agriculture concerning administration of the Farm Products Act   | 12-16-115 (1) (h)  |
| 76. Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Farm Products Act  | 12-16-115 (1) (i)  |
| 77. Failure of a licensed cash buyer to pay in cash or farm products for any transaction without first complying with the bonding requirements of section 12-16-106.  | 12-16-115 (1) (l)  |
| 78. Purchasing \$20,000 or more worth of farm products in one year for processing or resale, or purchasing \$2,500 or more worth of farm products in any single transaction by one who is licensed as a small-volume dealer | 12-16-115 (1) (m)  |
| 79. Violation of any unspecified provision of the Farm Products Act   | 12-16-116 (2)      |
| 80. Committing fraud or deception in the procurement of a farm commodity warehouse license  | 12-16-221 (1) (g)  |
| 81. Failure to comply with any lawful order of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act  | 12-16-221 (1) (h)  |
| 82. Interfering or hindering an authorized representative of the Commissioner of Agriculture pursuant to the Commodity Warehouse Act  | 12-16-221 (1) (i)  |
| 83. Violation of any unspecified provision of the Commodity Warehouse Act   | 12-16-222 (2)      |
| 84. Failure to meet any of the reporting requirements of the Colorado Licensing of Controlled Substances Act  | 12-22-318 (10) (b) |

<b><u>Offense</u></b>	<b><u>C.R.S. Citation</u></b>
85. Failure to comply with a citation, a stipulated settlement agreement, or an order issued pursuant to an administrative hearing after exhausting other remedies available pursuant to the electricians' statute	12-23-118 (5) (c)
86. Violation of any of the provisions of the electricians' statute	12-23-119 (2)
87. Violation of any of the provision of section 12-26.5-105 (1) regarding the transfer of a handgun	12-26.5-105 (2)
88. Sexual contact by an acupuncturist with a patient during the course of patient care	12-29.5-108 (2)
89. A second violation of any of the provisions regarding the practice of optometry	12-40-124
90. Violation of Indian Arts and Crafts Sales statute	12-44.5-107
91. Disclosure of confidential records or information of the Colorado Limited Gaming Control Commission in violation of the provisions of section 12-47.1-527	12-47.1-527 (4) (a)
92. Failure to pay tax due pursuant to the Colorado Limited Gaming Act within 30 days after the due date	12-47.1-603 (1) (b)
93. Failure to file a return pursuant to the Colorado Limited Gaming Act within 30 days after the due date	12-47.1-603 (1) (c)
94. Willful refusal to pay a winner of any limited gaming game	12-47.1-817 (2)
95. Cheating at any limited gaming activity by a person other than a licensee	12-47.1-822 (3)
96. Violation of any of the provisions prohibiting fraudulent acts pursuant to the Colorado Limited Gaming Act by a person other than a licensee	12-47.1-823 (2)
97. Use of any device for calculating probabilities pursuant to the Colorado Limited Gaming Act by a person other than a licensee	12-47.1-824 (2)
98. Use of counterfeit or unapproved chips or tokens or unlawful coins or devices; possession of certain unlawful devices, equipment, products, or materials pursuant to the Colorado Limited Gaming Act by a person other than a licensee	12-47.1-825 (8)
99. Use of any cheating game or device pursuant to the Colorado Limited Gaming Act by a person other than a licensee	12-47.1-826 (2)
100. Unlawful manufacture, sale, distribution, marking, altering, or modification of equipment and devices pursuant to the Colorado Limited Gaming Act by a person other than a licensee	12-47.1-827 (4)
101. Violation of any of the provisions of the Colorado Limited Gaming Act, except as otherwise specified	12-47.1-832



**Offense****C.R.S. Citation**

- |  |               |
|--|---------------|
| 102. Violation of any provision of article 56 of title 12 by a pawnbroker  | 12-56-104 (4) |
| 103. Subsequent act of acting as a real estate appraiser without first having obtained a license or certificate within three years after the date of a conviction for the same violation | 12-61-712 (2) |

**Offenses Related to Courts and Court Procedure**

- |   |                          |
|---|--------------------------|
| 104. Divulging or disseminating any information contained in an environmental audit report by a public entity, employee, or official. In addition, the entity, employee, or official may be found in contempt of court and assessed a penalty of up to \$10,000 | 13-25-126.5 (5) (b) (II) |
|---|--------------------------|

**Offenses Related to Probate, Trusts, and Fiduciaries**

- |   |               |
|---|---------------|
| 105. Willfully concealing, defacing, damaging or destroying a declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act           | 15-18-113 (1) |
| 106. Willfully withholding information concerning the revocation of the declaration as to medical or surgical treatment of another person pursuant to the Colorado Medical Treatment Decision Act | 15-18-113 (4) |

**Offenses Related to Criminal Proceedings**

- |   |                     |
|---|---------------------|
| 107. Knowing or intentional disclosure of confidential records or information in violation of the provisions regarding a Crime Stopper Organization | 16-15.7-104 (2) (b) |
|---|---------------------|

**Offenses Related to the Children's Code**

- |  |                  |
|--|------------------|
| 108. Request of information by an operator of a facility or agency licensed to provide child care, from the central registry of child protection, concerning a person who is neither an employee or applicant for employment | 19-1-307 (2) (k) |
| 109. Permitting or willfully encouraging the release of data or information contained in the central registry of child protection to persons not permitted access to such information  | 19-3-313 (10)    |

**Offenses Related to Higher Education and Vocational Training**

- |  |              |
|--|--------------|
| 110. Divulging data on students or personnel of any state-supported institution by the director of the Colorado Commission on Higher Education or by any commission employee except as provided by law | 23-1-108 (9) |
|--|--------------|

**Offense****C.R.S. Citation****Offenses Related to State Government**

- |   |                       |
|---|-----------------------|
| 111. Offering to pay fee contingent upon making a contract for professional services with a state agency  | 24-30-1406 (2)        |
| 112. Soliciting or securing a contract for professional services with a state agency and receiving a fee contingent upon the making of a contract   | 24-30-1406 (3)        |
| 113. Divulging information disclosed in any restricted or protected document, program, or dataset located at the GGCC   | 24-30-1604 (2) (b)    |
| 114. Wearing or duplicating the badge or uniform of the Colorado State Patrol with the intent of representing oneself as a member of the Colorado State Patrol  | 24-33.5-219 (2)       |
| 115. Conducting an athletic or special event on a state highway when a permit for said event has not been issued or violation of the terms of a permit which has been issued for an athletic or special event | 24-33.5-226 (2.5) (b) |
| 116. Any false statement regarding the installation, alteration, or repair of any fire suppression system   | 24-33.5-1206.5 (2)    |
| 117. Knowingly disturbing an unmarked human burial  | 24-80-1305 (1)        |

**Health — Related Offenses**

- |   |              |
|---|--------------|
| 118. Violation, by any officer of employee or agent of the state or local department of health, of the provisions of section 25-1-122 (4) and (5) regarding confidential public health reports or records | 25-1-122 (6) |
|---|--------------|

**Human Services Code Offenses**

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|---|------------------|
| 119. Unlawful retention of patient personal needs fund twice or more within a 6 month period without having been placed in jeopardy for the prior offenses. | 26-4-504 (8) (c) |
|---|------------------|

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

- |  |                    |
|--|--------------------|
| 120. Violation of any of the provisions of section 33-4-101.3 regarding the taking of black bears  | 33-4-101.3 (6)     |
| 121. Violation of sections 33-6-114.5 (2), (3) or (4) regarding the possession, transportation, importation, exportation, and release of native and nonnative fish | 33-6-114.5 (7) (a) |
| 122. Operation of a vessel by a river outfitter or guide while under the influence of alcohol or any controlled substance  | 33-32-107 (4) (b)  |

**Offense****C.R.S. Citation****Agriculture — Related Offenses**

- |  |                 |
|--|-----------------|
| 123. Removal or disposal of detained or embargoed pesticide or device by sale or otherwise, without prior permission, or removal or alteration of the tag or marking   | 35-9-123 (3)    |
| 124. Violation of any of the provisions of sections 35-9-120 (1) (a), (b), (c), (e), (f), (h), (j), (k), (2) (a), (b), (c), or (g) pursuant to the Pesticide Act   | 35-9-125 (2)    |
| 125. Violation of any of the provisions of sections 35-10-117 (1) (a), (b), (c), (e), (g), (2) (a), (b), (c), (d), (3) (a), or (4) (a) of the Pesticide Applicators' Act   | 35-10-123 (2)   |
| 126. Violation of the provisions of section 35-27-113 (6) regarding the sale, barter, or distribution of seed and seed beans.  | 35-27-113 (6)   |
| 127. Violation of any of the provisions of section 25-41.5-109 pursuant to the Alternative Livestock Act   | 35-41.5-115     |
| 128. Violation of the provisions of section 35-42.5-101 regarding duties and restrictions relating to animal shelters and pounds   | 35-42.5-101 (3) |
| 129. A second or subsequent violation of any provision or requirement of article 55 of title 35 regarding public livestock markets or of any rule or regulation adopted by the state board of stock inspection commissioners | 35-55-117       |

**Offenses Related to Real and Personal Property**

- |   |               |
|---|---------------|
| 130. Offering to have recorded any document purporting to create a lien against real property, knowing that such document is forged or groundless, contains a material misstatement or false claim, or is otherwise invalid | 38-35-109 (4) |
|---|---------------|

**Taxation Offenses**

- |  |               |
|--|---------------|
| 131. County officials acquiring land by tax sale | 39-11-151 (3) |
|--|---------------|

**Offenses Related to Utilities**

- |   |               |
|---|---------------|
| 132. Operation of a motor vehicle by a carrier of household goods in violation of any provision of article 14, title 40 | 40-14-105 (1) |
|---|---------------|

**Offenses Related to Vehicles and Traffic**

- |  |            |
|--|------------|
| 133. Tampering with an ignition interlock device | 42-2-126.3 |
|--|------------|

<b><u>Offense</u></b>	<b><u>C.R.S. Citation</u></b>
134. Driving any motor vehicle, bicycle, or motorized bicycle in a careless and imprudent manner when the careless actions are the proximate cause of bodily injury or death to another (class 1 misdemeanor traffic offense)	42-4-1402 (2)
135. Owning or driving a motor vehicle without an insurance policy in effect, failure to present evidence of insurance when asked to do so by a peace officer (class 1 misdemeanor traffic offense)	42-4-1409 (4) (a)
136. Failing to stop at accident resulting in injury to another person (class 1 misdemeanor traffic offense)	42-4-1601 (2) (a)
137. Failing to stop at accident resulting in serious bodily injury to another person	42-4-1601 (2) (b)
138. A second conviction within five years of failure to stop a vehicle when meeting or overtaking from either direction a school bus which has stopped with visual signal lights in operation (class 1 misdemeanor traffic offense)	42-4-1903 (6) (b)
139. Violation of any provision of section 42-6-202 regarding used motor vehicle sales	42-6-203
140. Violation of any provision of parts 1, 2, or 3 of article 20 of title 42 regarding the transport by vehicle of hazardous materials	42-20-111
141. Intentionally transporting hazardous materials without a permit in violation of section 42-20-201	42-20-204 (1)
142. Knowingly violating any of the terms and conditions of an annual or single trip hazardous materials transportation permit	42-20-204 (3)

## CLASS 2 MISDEMEANORS

### Offenses

### C.R.S. Citation

#### **Inchoate Offenses**

- |   |              |
|---|--------------|
| 1. Criminal attempt to commit a class 1 misdemeanor | 18-2-101 (6) |
| 2. Conspiracy to commit a class 1 misdemeanor       | 18-2-206 (4) |

#### **Offenses Against the Person**

- |   |                |
|---|----------------|
| 3. False imprisonment; knowingly confining or detaining another without the other's consent and without proper legal authority. | 18-3-303       |
| 4. Failure to register as a sex offender  | 18-3-412.5 (4) |

#### **Offenses Against Property**

- |  |                        |
|--|------------------------|
| 5. Second degree arson (any property of another, other than a building or occupied structure, if the damage is less than \$100)  | 18-4-103 (3)           |
| 6. Fourth degree arson (knowingly or recklessly starting or maintaining a fire or causing an explosion and by so doing placing another in danger of death or serious bodily injury or placing any building or occupied structure of another in danger of damage, if only property is thus endangered and the value of the property is \$100 or more) | 18-4-105 (3)           |
| 7. Theft (if the value of the thing involved is \$100 or more but less than \$400)   | 18-4-401 (2) (b)       |
| 8. Theft of rental property (if the value of the thing involved is \$100 or more but less than \$400)  | 18-4-402 (3)           |
| 9. Aggravated motor vehicle theft in the second degree   | 18-4-409 (4)           |
| 10. Theft by receiving where value of thing involved is \$100 or more but less than \$400  | 18-4-410 (3)           |
| 11. Criminal mischief where the aggregate damage to the real or personal property is \$100 or more but less than \$400   | 18-4-501               |
| 12. Second degree criminal trespass if the premises have been classified as agricultural land pursuant to section 39-1-103 (1.6)   | 18-4-503 (2) (a)       |
| 13. Second degree criminal tampering   | 18-4-506               |
| 14. Tampering with equipment associated with oil or gas and (2) gathering operations   | 18-4-506.3 (1) and (2) |
| 15. Tampering with utility meter   | 18-4-506.5 (1) and (2) |



**Offenses****C.R.S. Citation**

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|-----|--|----------------------|
| 16. | Defacing or destroying landmarks or monuments  | 18-4-508 (1) and (2) |
| 17. | Defacing public or private property  | 18-4-509 (1)         |
| 18. | Defacing, causing, aiding, or permitting the defacing of public or private property without consent by use of paint, spray paint, ink, or other method. In addition, convicted person must personally make repairs to damaged property | 18-4-509 (2)         |
| 19. | Any violation of section 18-4-701 regarding theft of cable television service  | 18-4-701 (3)         |

**Offenses Involving Fraud**

- |     |  |                              |
|-----|--|------------------------------|
| 20. | Criminal possession of third degree forged instrument  | 18-5-107                     |
| 21. | Obtaining signature by deception   | 18-5-112 (3)                 |
| 22. | Fraud by check if the fraudulent check was for the sum of \$100 or more and less than \$400 or if it involves the issuance of two or more checks within any 60-day period totaling \$100 or more and less than \$400 | 18-5-205 (3) (b)             |
| 23. | Opening a checking account using false identification or an assumed name for the purpose of issuing fraudulent checks  | 18-5-205 (5)                 |
| 24. | Defrauding a secured creditor or debtor if the value of the collateral or amount owed is \$100 or more but less than \$400   | 18-5-206 (1) (b) and (2) (b) |
| 25. | Purchase on credit to defraud  | 18-5-207                     |
| 26. | Issuing a false financial statement  | 18-5-209 (2)                 |
| 27. | Fraud in effecting sales   | 18-5-301 (1)                 |
| 28. | Bait advertising   | 18-5-303 (3)                 |
| 29. | Failure to pay over assigned accounts where the amount of such proceeds withheld is less than \$100  | 18-5-502                     |
| 30. | Concealment or removal of secured property where the value of the property concealed or removed is less than \$100   | 18-5-504                     |
| 31. | Failure to pay over proceeds of security interest in personal property where the amount of the proceeds withheld is less than \$100  | 18-5-505                     |
| 32. | Fraudulently issuing a false statement of the receipt for goods  | 18-5-507                     |
| 33. | Issuing a negotiable receipt for goods without stating fully the ownership of such goods   | 18-5-509                     |

**Offenses****C.R.S. Citation**

- |   |                  |
|---|------------------|
| 34. Delivery of goods knowing that a negotiable receipt of those goods is outstanding and uncanceled, without obtaining the possession of that receipt before the time of delivery  | 18-5-510         |
| 35. Depositing goods to which the person does not have title or upon which there is a security interest and taking a negotiable receipt for such goods with the intention of negotiating for value without disclosing the want of title or the existence of the security interest | 18-5-511         |
| 36. Unauthorized use of a financial transaction device if the value of the cash, credit, property, or services obtained or of the financial payment made is \$100 dollars or more but less than \$400 dollars   | 18-5-702 (3) (b) |

**Computer Crime**

- |   |                |
|---|----------------|
| 37. Computer crime if the loss, damage, or thing taken is valued at \$100 or more but less than \$400 | 18-5.5-102 (3) |
|---|----------------|

**Offenses Involving the Family Relations**

- |   |                                       |
|---|---------------------------------------|
| 38. Knowingly marrying a bigamist   | 18-6-202                              |
| 39. Knowing or reckless child abuse committed with criminal negligence not resulting in serious bodily injury | 18-6-401 (7) (a) (VI) and (7) (b) (I) |
| 40. Aiding or harboring a runaway child   | 18-6-601 (3)                          |
| 41. Violation of a restraining order  | 18-6-803.5 (2) (a)                    |

**Offenses Relating to Morals**

- |   |                  |
|---|------------------|
| 42. Promotion of obscenity  | 18-7-102 (2) (b) |
| 43. Keeping a place of prostitution   | 18-7-204 (2)     |
| 44. Promoting sexual immorality   | 18-7-208 (3)     |
| 45. Indecent exposure to a child  | 18-7-302 (2)     |
| 46. Violation of any of the provisions of title 18, article 7, part 5, regarding sexually explicit materials and children | 18-7-502 (6)     |

**Offenses — Governmental Operations**

- |  |              |
|--|--------------|
| 47. Resisting arrest                       | 18-8-103 (4) |
| 48. Obstructing a peace officer or fireman | 18-8-104 (4) |
| 49. Impersonating a peace officer          | 18-8-112     |

**Offenses****C.R.S. Citation**

- |  |              |
|--|--------------|
| 50. Soliciting unlawful compensation                             | 18-8-304     |
| 51. Failure to disclose conflict of interest by a public servant | 18-8-308 (3) |
| 52. Official oppression  | 18-8-403 (2) |
| 53. First degree official misconduct                             | 18-8-404 (2) |
| 54. Willful harassment of a juror                                | 18-8-614 (2) |

**Offenses Against Public Peace, Order, and Decency**

- |  |                    |
|--|--------------------|
| 55. Engaging in a riot without a deadly weapon   | 18-9-104 (1)       |
| 56. Disorderly conduct — discharging a firearm in a public place or displaying deadly weapon in manner calculated to alarm   | 18-9-106 (3)       |
| 57. Violation of the provisions of section 18-9-110 regarding public buildings — trespass, interference  | 18-9-110 (8)       |
| 58. Hindering transportation   | 18-9-114           |
| 59. Barricading or refusing police entry to any premises or property or failing to leave any premises or property when requested to do so by a peace officer and, in the same criminal episode, knowingly holding another person hostage or confining or detaining such person without his consent | 18-9-119 (3)       |
| 60. A second or subsequent violation of ownership of a dangerous dog when the dog inflicts bodily injury upon another person   | 18-9-204.5 (3) (b) |
| 61. A second or subsequent violation of ownership of a dangerous dog when the dog injures or destroys any domestic animal  | 18-9-204.5 (3) (e) |
| 62. Unauthorized release of an animal  | 18-9-206 (2)       |
| 63. Possessing devices used for wiretapping or eavesdropping   | 18-9-302           |

**Gambling**

- |   |               |
|---|---------------|
| 64. Possession of gambling device or record | 18-10-105 (2) |
|---|---------------|

**Offenses Relating to Firearms and Weapons**

- |   |                 |
|---|-----------------|
| 65. Unlawfully carrying a concealed weapon  | 18-12-105 (1)   |
| 66. Unlawfully carrying a concealed weapon, unlawful possession of weapons on the grounds of a school, college, or university | 18-12-105.5 (1) |
| 67. Prohibited use of weapons   | 18-12-106 (1)   |

**Offenses****C.R.S. Citation**

68. Illegal possession of a handgun by a juvenile 18-12-108.5 (1) (c) (I)

**Miscellaneous Offenses**

69. Abuse of corpse 18-13-101 (2)  
70. Firing of woods or prairie 18-13-109  
71. Abuse of property insurance 18-13-119.5 (5)  
72. Transport, storage, or usage of drip gasoline by unauthorized agents 18-13-120 (4)

**Uniform Controlled Substances Act**

73. Manufacture, sale, or delivery of drug paraphernalia 18-18-429  
74. Advertisement of drug paraphernalia 18-18-430

**Class 2 Misdemeanors, Not in the Criminal Code****Election Code Offenses**

75. False statements relating to candidates or questions submitted to electors 1-13-109 (2)

**Consumer and Commercial Affairs Offenses**

76. Violation of the provisions of section 6-16-111 (1) (a) or (e) of the Colorado Charitable Solicitations Act 6-16-111 (3)

**Offenses Related to Labor and Industry**

77. Disclosing who signed a petition or how a person voted in a labor election or refusing to call an election 8-3-108 (1) (c) (V)  
78. Release of confidential data obtained pursuant to the collection of data and statistics regarding the workers' compensation system of Colorado 8-44-113 (1) (a)

**Insurance — Related Offenses**

79. Violation of Fraudulent Claims and Arson Information Reporting Act 10-4-1007  
80. Knowingly or willfully making any materially false certificate, entry, or memo on any of the books or papers of any captive insurance company or on any statement filed or to be filed in the Division of Insurance 10-6-128.5 (4)

**Offenses****C.R.S. Citation****Offenses Related to Financial Institutions**

- |  |                |
|--|----------------|
| 81. Making a false derogatory statement regarding the financial condition of a state bank  | 11-2-122       |
| 82. Making a false derogatory statement regarding the financial condition of any industrial bank   | 11-22-109 (15) |
| 83. Operation by a foreign savings and loan association of an office in this state in order to sell its shares or accounts or make new loans in this state | 11-43-101      |

**Offenses Related to Professions and Occupations**

- |  |                       |
|--|-----------------------|
| 84. Practicing barbering or cosmetology without a license or knowingly employing a barber or cosmetologist without a license   | 12-8-127 (1)          |
| 85. Willful violation, procurement, aiding, or abetting in violation of the Bingo and Raffles Law  | 12-9-112              |
| 86. Violation of any provision of part 1 of article 22 of title 12 regarding drugs and druggists   | 12-22-127             |
| 87. The practice of medicine without complying with the provisions of, or violation of any provision of the Colorado Medical Practice Act  | 12-36-129 (1)         |
| 88. Practicing or offering or attempting to practice direct-entry midwifery without first complying with registration and disclosure requirements  | 12-37-108 (1)         |
| 89. Violation of any of the provisions of section 12-38.1-118 (1) regarding practice as a nurse aide   | 12-38.1-118 (2)       |
| 90. Violation of any provision of section 12-46-112 (1) (a), (1)(b)(I), (1)(f), or (2)(c) regarding fermented malt beverages   | 12-46-114 (2)         |
| 91. Violation of any provision of sections 12-47-128 (1)(a), (1)(f), (1)(g), (1)(i), (1)(k), (5)(a)(I), or (5)(c)(I) regarding alcoholic beverages   | 12-47-130 (2) and (3) |
| 92. Violation of any of the provisions of section 12-47.1-809 regarding a person under 21 years who is allowed to participate, play, or collect winnings pursuant to the Colorado Limited Gaming Act | 12-47.1-809 (4)       |
| 93. Failure to display operator and premises license pursuant to the Colorado Limited Gaming Act   | 12-47.1-830 (2)       |
| 94. Knowing and willful violation of the duties of a notary public   | 12-55-116 (1)         |
| 95. Impersonating a notary public  | 12-55-117             |
| 96. Violation of the terms of a contract, by a pawnbroker, for purchase involving a fixed price  | 12-56-104 (3) (b)     |

**Offenses****C.R.S. Citation**

- |  |               |
|--|---------------|
| 97. Unlicensed wagering or betting on the results of a pari-mutuel horse or greyhound race   | 12-60-703.5   |
| 98. Violation of any of the provisions of section 12-60-507 (1) regarding investigation, denial, suspension, and revocation actions against racing licensees | 12-60-801 (1) |
| 99. Violation of Preowned Housing Home Warranty Service Contract statute   | 12-61-612     |

**Offenses Related to Courts and Court Procedure**

- |   |               |
|---|---------------|
| 100. Willful harassment of a juror by an employer | 13-71-134 (2) |
|---|---------------|

**Offenses Related to State Government**

- |   |                    |
|---|--------------------|
| 101. Subsequent failure to register as a fire suppression contractor after previous convictions of acting or advertising as a fire suppression contractor when not registered as such | 24-33.5-1206.5 (1) |
| 102. Violation of lottery ticket statutes   | 24-35-215 (1)      |
| 103. Failure to notify local law enforcement with knowledge that an unmarked human burial is unlawfully disturbed   | 24-80-1305 (2)     |

**Offenses Related to Health**

- |  |              |
|--|--------------|
| 104. Violation of the provisions of the Pet Animal and Psittacine Bird Dealerships statute | 25-4-713 (1) |
|--|--------------|

**Human Services Code Offenses**

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|--|-----------------------|
| 105. Any person who obtains public assistance or vendor payments to which he is not entitled, or public assistance or vendor payments greater than those to which he is justly entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, if the amount of overpayment to which the recipient or vendor is not entitled is \$100 or more but less than \$400 | 26-1-127 (1)          |
| 106. Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation when the value of the stamps is \$100 or more but less than \$400 dollars   | 26-2-305 (1)          |
| 107. Trafficking in food stamps when the value of the food stamps is \$100 or more but less than \$400   | 26-2-306 (2) (b)      |
| 108. Unlawful use of a patient personal needs trust fund when the amount involved is \$100 or more but less than \$400   | 26-4-504 (8) (d) (II) |



**Offenses****C.R.S. Citation**

- |  |                |
|--|----------------|
| 109. Violation of Blind-made Products statute  | 26-8.3-105 (3) |
| 110. Representing any medical service as reimbursable or subject to payment under the Reform Act for the Provision of Health Care for the Medically Indigent when it is not reimbursable or subject to payment | 26-15-112      |

**Offenses Related to County Governments**

- |   |               |
|---|---------------|
| 111. Conflict of interest of county coroners  | 30-10-619 (4) |
| 112. Violation of county dog licensing and control statute which results in bodily injury | 30-15-102 (2) |

**Offenses Related to Municipal Governments**

- |   |              |
|---|--------------|
| 113. Violation of any of the provisions of 31-2-225 regarding formation and reorganization of municipal governments | 31-2-225 (2) |
| 114. Tampering with initiative or referendum petition   | 31-11-115    |

**Offenses Related to Special Districts**

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|--|-------------------|
| 115. Interference with the examination, by the state auditor, of the books, records, reports, or vouchers of the Denver Metro Major League Baseball Stadium District | 32-14-109 (2) (b) |
| 116. Interference by a director, employee, or agent of the metropolitan football stadium district of a state auditor's examination                                   | 32-15-109(2)(b)   |

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

- |   |                   |
|---|-------------------|
| 117. Damage to state property under the control of the division of wildlife                             | 33-15-109         |
| 118. Operation of a river outfitting business by a river outfitter without a valid outfitters license   | 33-32-107 (1)     |
| 119. Operation of a river vessel with wanton or willful disregard for the safety of persons or property | 33-32-107 (2) (c) |

**Offenses Related to Mineral Resources**

- |   |                |
|---|----------------|
| 120. Divulging confidential information in an application for a reclamation permit from the Mined Land Reclamation Board              | 34-32-112 (9)  |
| 121. Knowingly or wilfully disclosing the confidential information in a reclamation permit or notice of intent to conduct exploration | 34-32.5-112(8) |

**Offenses****C.R.S. Citation****Agriculture — Related Offenses**

- |   |                |
|---|----------------|
| 122. Violation of the provisions of section 35-9-120 (1) (g), (2) (d), or (2) (f) of the Pesticide Act  | 35-9-125 (3)   |
| 123. Violation of the provisions of section 35-10-117 (1) (f), (2) (f), (2) (g), (4) (b), or (5) of the Pesticide Applicators Act   | 35-10-123 (3)  |
| 124. To make, install, sell or offer to sell, use or allow use of weights or measure, any counterfeit seal, or seal of the Commissioner of Agriculture without proper authority | 35-14-132 (1)  |
| 125. Any subsequent violation of any provision of the Colorado Bee and Bee Products Act   | 35-25-111      |
| 126. Sale of adulterated or diseased meat   | 35-33-204      |
| 127. Violation of the provisions regarding the advertisement and sale of meat animals   | 35-33-302 (12) |
| 128. Operating a food plan, locker plant, or meat processing facility without a valid license   | 35-33-401 (3)  |
| 129. Violation of any of the provisions of the Slaughter, Processing, and Sale of Meat Animals Act  | 35-33-406      |
| 130. Violation of any of the provisions of section 35-80-108 of the Pet Animal Care and Facilities Act  | 35-80-114      |

**Offenses Related to Real and Personal Property**

- |  |               |
|--|---------------|
| 131. Removal of any improvements from encumbered property without first obtaining the written consent of the lien holder | 38-39-105 (2) |
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**Offenses Related to Utilities**

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|--|-----------|
| 132. Failure of an agent of a public utility to comply with an order or requirement of the Public Utilities Commission   | 40-7-106  |
| 133. Failure of an agent of a corporation other than a public utility to comply with an order or requirement of the Public Utilities Commission                                  | 40-7-108  |
| 134. Failure of a motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission          | 40-10-113 |
| 135. Failure of a contract motor vehicle carrier to comply, or helping another in noncompliance with any order, decision, rule, or regulation of the Public Utilities Commission | 40-11-111 |

**Offenses****C.R.S. Citation**

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|--|-----------------|
| 136. Operation of a motor vehicle, by a motor vehicle carrier exempt from regulation as a public utility, for its business | 40-16-107 (1)   |
| 137. Operation of a motor vehicle by a carrier of sludge in violation of the provisions of article 16.5 of title 40        | 40-16.5-107 (1) |

**Offenses Related to Vehicles and Traffic**

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|--|------------------|
| 138. Driving without a valid driver's license or driving a vehicle without the correct class of license (class 2 misdemeanor traffic offense)  | 42-2-101 (10)    |
| 139. Refusal to hand driver's license to peace officer upon demand (class 2 misdemeanor traffic offense)   | 42-2-115 (2)     |
| 140. Failure to immediately surrender license for an offense which makes revocation mandatory (class 2 misdemeanor traffic offense)  | 42-2-124 (1) (a) |
| 141. Failure to immediately surrender license upon conviction of driving under the influence or excessive alcohol content (class 2 misdemeanor traffic offense)  | 42-2-129         |
| 142. Failure to immediately surrender license after having pled guilty or nolo contendere for a drug-related offense for which revocation of a license is mandatory; failure to surrender license within five days of having sworn to not being in immediate possession of the license (class 2 misdemeanor traffic offense)               | 42-2-130         |
| 143. Failure to immediately surrender license after having pled guilty or nolo contendere for a nondriving alcohol-related offense for which revocation of a license is mandatory; failure to surrender license within five days of having sworn to not being in immediate possession of the license (class 2 misdemeanor traffic offense) | 42-2-131         |
| 144. Making false application for a new license before the expiration of the period of suspension or revocation (class 2 misdemeanor traffic offense)  | 42-2-132 (3)     |
| 145. Unlawful possession or use of license (class 2 misdemeanor traffic offense)   | 42-2-136 (6)     |
| 146. Making false affidavit or knowingly swearing or affirming falsely to any matter pursuant to part 1 of article 2 or title 42 regarding drivers licenses (class 2 misdemeanor traffic offense)  | 42-2-137         |
| 147. Display or possess fictitious, cancelled, revoked, suspended or altered vehicle registration; failure to surrender such vehicle registration upon demand; use of false information in any application for vehicle registration (class 2 misdemeanor traffic offense)  | 42-3-133 (2) (b) |

**Offenses****C.R.S. Citation**

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|---|--------------------|
| 148. Failure or refusal to comply with any lawful order or direction of a police officer (class 2 misdemeanor traffic offense)  | 42-4-107           |
| 149. The sale of tires not in compliance with set standards (class 2 misdemeanor traffic offense)   | 42-4-228 (8) (b)   |
| 150. Alteration of a vehicle's suspension system (class 2 misdemeanor traffic offense)  | 42-4-233 (3)       |
| 151. Violation of any rule or regulation pursuant to section 42-4-235 regarding minimum standards for commercial vehicles (class 2 misdemeanor traffic offense)                   | 42-4-235 (5)       |
| 152. Violation of the provisions regarding wheel and axle loads (class 2 misdemeanor traffic offense)   | 42-4-507 (6)       |
| 153. Violation of the provisions regarding the gross weight of vehicles and loads (class 2 misdemeanor traffic offense)   | 42-4-508 (4)       |
| 154. Refusal or failure to stop and submit vehicle and load to a weighing (class 2 misdemeanor traffic offense)   | 42-4-509 (3)       |
| 155. Violation of the provisions regarding permits for excess size and weight and for mobile homes (class 2 misdemeanor traffic offense)  | 42-4-510 (12) (a)  |
| 156. Driving 25 m.p.h. or more in excess of the reasonable and prudent speed or in excess of the maximum lawful speed limit of 55 m.p.h. (class 2 misdemeanor traffic offense)    | 42-4-1101 (12)     |
| 157. Violation of any of the provisions regarding speed contests (class 2 misdemeanor traffic offense)  | 42-4-1105 (3)      |
| 158. Violation of any of the provisions regarding reckless driving (class 2 misdemeanor traffic offense)  | 42-4-1401 (2)      |
| 159. Violation of any of the provisions regarding careless driving when such action does not result in bodily injury or death to another (class 2 misdemeanor traffic offense)    | 42-4-1402 (2)      |
| 160. Violation of any of the provisions regarding the operation of bicycles and other human-powered vehicles pursuant to section 42-4-106.5 (class 2 misdemeanor traffic offense) | 42-4-1412 (12) (a) |
| 161. Eluding or attempting to elude a police officer when operating a motor vehicle (class 2 misdemeanor traffic offense)   | 42-4-1413          |
| 162. Failure to stop, when involved, at the scene of an accident resulting only in damage to a vehicle (class 2 misdemeanor traffic offense)                                      | 42-4-1602 (1)      |

**Offenses****C.R.S. Citation**

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|------|---|-------------------|
| 163. | Failure to notify the operator of an unattended vehicle of damage caused to such vehicle when causing such damage (class 2 misdemeanor traffic offense)   | 42-4-1604         |
| 164. | Failure to notify the road authority of an accident resulting only in damage to fixtures or traffic control devices on or adjacent to a highway (class 2 misdemeanor traffic offense)   | 42-4-1605         |
| 165. | Violation of any of the provisions of section 42-4-1606 regarding duty to report accidents (class 2 misdemeanor traffic offense)  | 42-4-1606 (6)     |
| 166. | Violation of the provisions regarding offenses by persons controlling vehicles (class 2 misdemeanor traffic offense)  | 42-4-1704         |
| 167. | Violation of the provisions regarding notice to appear or pay fine and failure to appear to pay fine (class 2 misdemeanor traffic offense)  | 42-4-1716 (3)     |
| 168. | Violation of the provisions not otherwise specified in title 42, article 4, part 18, regarding towing and storage of vehicles   | 42-4-1812         |
| 169. | Violation of any of the provisions regarding stops, signs, and the passing of school buses (class 2 misdemeanor traffic offense)  | 42-4-1903 (6) (a) |
| 170. | Tampering with a motor vehicle when the damage is less than \$400   | 42-5-103 (2) (a)  |
| 171. | Theft of motor vehicle parts when the value of the things involved is less than \$400   | 42-5-104 (2) (a)  |
| 172. | Repossession of a motor vehicle without notification of the appropriate law enforcement agency  | 42-6-146 (2)      |
| 173. | Driving or owning a vehicle in violation of the provisions of section 42-8-105(1) to (5) (Clearance of motor vehicles at port of entry weigh stations) or 42-8-106 (Issuance of clearance certificates) (class 2 misdemeanor traffic offense) | 42-8-109(1)       |
| 174. | Violation of any of the provisions of or any rule or regulation promulgated pursuant to parts 4 or 5 of article 20 of title 42 regarding permits for and the transport of nuclear materials   | 42-20-405 (1)     |

## **CLASS 3 MISDEMEANORS**

### **Offense**

### **C.R.S. Citation**

#### **Offenses Against the Person**

1. Criminal attempt to commit a misdemeanor other than a class 1 misdemeanor 18-2-101 (7)
2. Conspiring to commit a misdemeanor defined outside of Title 18 for which no penalty is specifically provided 18-2-201 (5)
3. Conspiracy to commit a misdemeanor other than a class 1 misdemeanor 18-2-206 (5)
4. Menacing (knowingly placing or attempting to place another in fear of imminent serious bodily injury by any threat or physical action) 18-3-206
5. Reckless endangerment (recklessly engaging in conduct which creates a substantial risk of serious bodily injury to another) 18-3-208

#### **Offenses Against Property**

6. Fourth degree arson (if only property is endangered and the value of the property is less than \$100) 18-4-105 (4)
7. Theft (if the value of the thing involved is less than \$100) 18-4-401 (2) (a)
8. Theft of rental property (if the value of the property involved is less than \$100) 18-4-402 (2)
9. Theft by receiving where the value of the thing involved is less than \$100 18-4-410 (2)
10. Criminal mischief where the aggregate damage to property is less than \$100 18-4-501
11. Second degree criminal trespass — entering or remaining in or upon premises which are enclosed in a manner designed to exclude intruders or which are fenced 18-4-503 (2)
12. Third degree criminal trespass if the premises have been classified by the county assessor as agricultural land 18-4-504 (2) (a)
13. Abandonment of a motor vehicle 18-4-512 (4)
14. Criminal use of noxious substance 18-4-513 (1)
15. Unlawful trafficking in unlawfully transferred articles (sound recordings) 18-4-603 (2)
16. Dealing in unlawfully packaged recorded articles (sound recordings) 18-3-204



**Offense****C.R.S. Citation****Offenses Involving Fraud**

- |   |                              |
|---|------------------------------|
| 17. Unlawfully using slugs  | 18-5-111(4)                  |
| 18. Fraud by check where the amount is less than \$100  | 18-5-205 (3) (a)             |
| 19. Defrauding a secured creditor or debtor, if the value of the collateral or the amount owed is less than \$100 | 18-5-206 (1) (a) and (2) (a) |
| 20. Dual contracts to induce loans  | 18-5-208                     |
| 21. Altering an identification number   | 18-5-305 (5)                 |
| 22. Rigging publicly exhibited contests   | 18-5-402 (1) and (2)         |
| 23. Issuance of a bad check   | 18-5-512 (3)                 |

**Computer Crime**

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|---------------------------------------|----------------|
| 24. Computer crime if less than \$100 | 18-5.5-102 (3) |
|---------------------------------------|----------------|

**Offenses Involving the Family Relations**

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| 25. Child abuse when a person acts with criminal negligence but where no death or injury results | 18-6-401 (7) (b) (II) |
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**Offenses Relating to Morals**

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|---|------------------|
| 26. Prostitution  | 18-7-201 (3)     |
| 27. Soliciting for prostitution   | 18-7-202 (2)     |
| 28. Pandering by arranging or offering to arrange a situation in which a person may practice prostitution | 18-7-203 (2)     |
| 29. Indecent exposure to a person 15 years or older   | 18-7-302 (2) (a) |

**Offenses — Governmental Operations**

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|--|--------------|
| 30. Obstructing government operations  | 18-8-102 (3) |
| 31. Compounding (accepting or agreeing to accept money for refraining from seeking prosecution for an offense or refraining from reporting a crime to law enforcement authorities) | 18-8-108 (3) |
| 32. False reporting to authorities   | 18-8-111 (2) |
| 33. Impersonating a peace officer  | 18-8-113 (3) |

**Offense****C.R.S. Citation**

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|---|--------------|
| 34. Escape while in custody or confinement following conviction of a misdemeanor or petty offense | 18-8-208 (4) |
| 35. Violation of bail bond conditions   | 18-8-212 (2) |
| 36. Simulating the legal process  | 18-8-611 (2) |
| 37. Failure to obey a juror summons   | 18-8-612 (2) |
| 38. Willful misrepresentation of material fact on a juror questionnaire                           | 18-8-613 (2) |

**Offenses Against Public Peace, Order and Decency**

- |   |                    |
|---|--------------------|
| 39. Disobedience of public safety orders under riot conditions  | 18-9-105           |
| 40. Disorderly conduct — fighting with another in a public place  | 18-9-106 (3)       |
| 41. Obstructing highway or other passageway   | 18-9-107 (3)       |
| 42. Disrupting lawful assembly  | 18-9-108 (2)       |
| 43. Interference with staff, faculty, or students of educational institutions   | 18-9-109 (5)       |
| 44. Harassment  | 18-9-111 (2)       |
| 45. Desecration of venerated objects  | 18-9-113 (1) (a)   |
| 46. Violation of a restraining order related to public conveyances  | 18-9-115.5         |
| 47. Unlawful conduct on public property   | 18-9-117 (3)       |
| 48. Barricading or refusing police entry to any premises or property through use of or threatened use of force, or, knowingly refusing or failing to leave any premises or property upon the request of a peace officer   | 18-9-119 (2)       |
| 49. Knowingly obstructing, detaining, hindering, impeding, or blocking another person's entry to or exit from a health care facility  | 18-9-122 (2)       |
| 50. Knowingly approaching another person within 8 feet of that person, without consent, for the purpose of passing information to, displaying a sign to, or engaging in oral protest, education, or counseling with that person within a radius of 100 feet from any entrance to a health care facility | 18-9-122 (3)       |
| 51. Unlawful ownership of a dangerous dog when the dog inflicts bodily injury upon any other person   | 18-9-204.5 (3) (b) |
| 52. Unlawful ownership of a dangerous dog when the dog injures or destroys any domestic animal  | 18-9-204.5 (3) (e) |
| 53. Abuse of telephone and telegraph service  | 18-9-306 (1)       |
| 54. Access, make, possess, sell, or use illegal telecommunications equipment  | 18-9-309 (2)       |

**Offense****C.R.S. Citation****Gambling**

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|--|---------------|
| 55. Transmitting or receiving gambling information | 18-10-106 (1) |
| 56. Maintaining gambling premises                  | 18-10-107 (3) |

**Offenses Involving Disloyalty**

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|-----------------------------------|---------------|
| 57. Mutilation — contempt of flag | 18-11-204 (3) |
|-----------------------------------|---------------|

**Miscellaneous Offenses**

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|--|---------------|
| 56. Interference with persons with disabilities  | 18-13-107 (4) |
| 58. Removal of timber from state lands without lawful authority  | 18-13-108     |
| 59. Violation of the provisions of subsection (8) of section 18-13-114 regarding the sale or trade of secondhand merchandise                           | 18-13-114 (8) |
| 60. Violation of the provisions of subsection (1) of section 18-13-115 by a secondhand dealer or operator of a flea market                             | 18-13-115 (3) |
| 61. Violation of any of the provisions of subsection (1) of section 18-13-116 regarding sales tax licenses required of secondhand dealers              | 18-13-116 (2) |
| 62. Violation of any of the provisions of subsection (1) of section 18-13-117 regarding the requirement of secondhand dealers to keep records of sales | 18-13-117 (2) |

**Uniform Controlled Substances Act**

- |  |               |
|--|---------------|
| 63. Failing to honor written promise to appear for possessing one ounce or less of marihuana | 18-18-406 (2) |
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**Offenses Related to Elections**

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|---|--------------|
| 64. Violating any provision of the Campaign Reform Act or giving or accepting any contribution or contribution in kind required to be reported in such a way as to hinder or prevent identification of the true donor | 1-45-121 (1) |
|---|--------------|

**Offenses Related to Labor and Industry**

- |   |                |
|---|----------------|
|   | 8-20.5-105 (2) |
| 65. Release of confidential records regarding petroleum storage tanks |                |

**Offense****C.R.S. Citation****Offenses Related to Insurance**

66. Violation of any of the provisions regarding preneed funeral contracts or violation of a cease and desist order issued regarding preneed funeral contracts 10-15-118 (1)

**Offenses Related to Financial Institutions**

67. Violation of any of the provisions or any rule or order of the Colorado Municipal Bond Supervision Act 11-59-115 (2)

**Offenses Related to Professions and Occupations**

68. Violation of any provision of the Accountants statute or a cease and desist order issued pursuant to section 12-2-126 12-2-129
69. Violation of the provisions regarding the practice of architecture 12-4-113 (1)
70. Acting as a motor vehicle dealer, manufacturer, distributor, wholesaler, branch, representative, agent, or salesperson unless duly licensed 12-6-121
71. Violation of any of the provisions regarding slaughterers 12-11-109 (1)
72. The practice of engineering in violation of the provisions of part 1 of article 25 of title 12 relating to engineers and surveyors 12-25-105 (6)
73. Violation of the provisions of part 1 of article 25 of title 12 relating to engineers and surveyors by a person, partnership, professional association, joint stock company, or corporation 12-25-105 (7)
74. The practice of professional land surveying in violation of any of the provisions of part 2 of article 25 of title 12 12-25-205 (3.5)
75. Violation of the provisions of part 2 of article 25 of title 12 relating to engineers and surveyors 12-25-205 (4)
76. Violation of any of the provisions of article 28 of title 12 regarding fireworks 12-28-110
77. Violation of any of the provisions of section 12-29.5-106 (1)(a) to (1)(i) — grounds for disciplinary action regarding the practice of acupuncture 12-29.5-108 (1)
78. The practice of podiatry by any person, association, or corporation, without complying with the provisions of article 32 of title 12 or the violation of any provision of said article 12-32-109 (1)
79. Violation of the provisions of section 12-32-117 regarding the division of podiatrists' fees 12-32-117 (1)
80. Violation of the provisions of article 33 of title 12 regarding chiropractors 12-33-120

<b><u>Offense</u></b>	<b><u>C.R.S. Citation</u></b>
81. Violation of the provisions of article 35 of title 12 pursuant to the Dental Practice Law of Colorado	12-35-132 (1)
82. Violation of the provisions of section 12-36-125 regarding the division of medical fees related to an independent advertising or marketing agent	12-36-125 (1) (a)
83. Receiving pay or compensation in violation of section 12-36-125 regarding the practice of medicine, by any person, firm, association or corporation	12-36-127
84. Violation of the provisions of section 12-38-123 (1) regarding the licensing of medical nurses	12-38-123 (2)
85. Violation of the provisions of section 12-39-116 (1) regarding the practice and licensure as a nursing home administrator	12-39-116 (2)
86. Violation of the provisions of article 40 of title 12 regarding the practice of optometry	12-40-124
87. Violation of the provisions of section 12-41-121 (1) regarding the licensing and practice of physical therapy	12-41-121 (2)
88. Violation of the provisions of section 12-42-119 (1) regarding the licensing of or practicing as a psychiatric technician	12-42-119 (1)
89. Practice of psychotherapy if not included in the data base of licensed and unlicensed psychotherapists	12-43-220 (3)
90. Violation of the provisions of subsection (1) of section 12-43-707 regarding mental health occupations and licensure	12-43-707 (2)
91. Unlawfully possessing a notary's journal or seal	12-55-118
92. Violation of Plumbers statute	12-58-116 (2)
93. Acting as a real estate appraiser without a license or certificate	12-61-712 (2)
94. The practice of veterinary medicine without a license	12-64-114 (2)
<b>Courts and Court Procedure</b>	
95. Failure to obey a juror summons without justifiable excuse	13-71-111
96. Willful misrepresentation of a material fact on a juror questionnaire	13-71-115 (1)
<b>Children's Code Offenses</b>	
97. Violation of the provisions of subsections (1) or (3.5) of section 19-3-304 regarding the reporting of child abuse or neglect	19-3-304 (4) (a)

**Offense****C.R.S. Citation****Offenses Related to Higher Education**

98. Violation of the provisions of section 23-2-103 regarding the conferring of an honorary or academic degree 23-2-105

**Offenses Related to State Government**

99. Using a state-installed postage meter for private purposes 24-30-1111 (2)
100. Violation of any of the provisions of section 24-33.5-1206.1 regarding registration of a fire suppression contractor 24-33.5-1206.5 (1)
101. Violation of rights of persons with assistance dogs 24-34-804 (2)
102. Failure to disclose, prior to charging a fee, that information from the Office of Regulatory Reform regarding permits, coordination, and assistance services of the office is available free of charge 24-34-907 (3)
103. Theft or mutilation of library property 24-90-117

**Health — Related Offenses**

104. Violation of Transportation Subsystem requirements of the Colorado Emergency Medical Services Act 25-3.5-306
105. Operation, by an area operator, of a passenger tramway which has not been licensed or when the license has been suspended or who fails to comply with an order 25-5-707 (4)
106. Violation of any provision of the State Hazardous Waste Siting Act 25-15-211
107. Violation of any of the provisions of the State Hazardous Waste Incinerator Siting Act 25-15-513

**Human Services Code Offenses**

108. Obtaining public assistance or vendor payments to which one is not entitled or which are greater than those to which one is entitled, by means of a willfully false statement or representation, or by impersonation, or by any other fraudulent device, when the value of the assistance or payment is less than one hundred dollars (see section 18-4-401 (2)) 26-1-127 (1)
109. Any recipient of public assistance who fails to notify the department of the receipt of property or income in excess of that declared at the time of determination of eligibility or of any other change in circumstances affecting the recipient's eligibility 26-1-127 (2) (a)



**Offense****C.R.S. Citation**

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|--|----------------------|
| 110. A recipient or vendor of public assistance who falsifies any required report  | 26-1-127 (3)         |
| 111. Obtaining food stamps to which one is not entitled by false statement or representation or by impersonation is a class 3 misdemeanor when the value of the stamps is less than one hundred dollars (see 18-4-401 (2))   | 26-2-305 (1)         |
| 112. Any recipient of food stamps who fails to notify the department of any change in circumstances affecting the recipient's eligibility or the amount of food stamp coupons or authorization to purchase cards and who by such failure receives benefits in excess of those to which he was in fact entitled | 26-2-305 (2)         |
| 113. Trafficking in food stamps when the value is less than \$100 dollars  | 26-2-306 (2) (a)     |
| 114. Unlawful retention of patient personal needs funds  | 26-4-504 (8) (c)     |
| 115. Unlawful retention of patient personal needs funds when the amount involved is less than \$100  | 26-4-504 (8) (d) (I) |

**Offenses Related to Military and Veterans**

- |   |                |
|---|----------------|
| 116. Refusal to appear, testify, or produce evidence pursuant to trial procedures under the Colorado Code of Military Justice | 28-3.1-312 (1) |
|---|----------------|

**Offenses Related to Local Governments**

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|---|-------------------------|
| 117. The release of information without express written consent, required to be provided by subsection (2) of section 107, article 22, title 29 regarding the listing of hazardous substances | 29-22-107 (2) (c) (III) |
|---|-------------------------|

**Wildlife, Parks, Outdoor Recreation**

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|--|-------------------|
| 118. Failure, by a river outfitter, to have one personal flotation device for each person on board   | 33-32-107 (2) (a) |
| 119. Operation, by a river outfitter, of a vessel in a careless or imprudent manner without due regard for conditions, or, in such a manner as to endanger any person, property, or wildlife | 33-32-107 (2) (b) |

**Offenses Related to Agriculture**

- |   |               |
|---|---------------|
| 120. Violation of section 35-9-120 (2) (e) of the Pesticide Act   | 35-9-125 (4)  |
| 121. Intentional violation of any of the provisions of or of rules and regulations promulgated pursuant to the Colorado Nursery Act | 35-26-109 (1) |
| 122. Violation of any provision of, or rules and regulations promulgated pursuant to, the Weed Free Forage Crop Certification Act   | 35-27.5-107   |

**Offense****C.R.S. Citation**

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|--|---------------|
| 123. Violation of any of the provisions regarding inspection of cattle entering a custom feedlot                                     | 35-43-130 (2) |
| 124. Fraudulent use of a permanent hauling transportation permit for rodeo and other horses  | 35-53-129 (1) |
| 125. Violation of any provision or requirement of or rule or regulation promulgated pursuant to the Public Livestock Markets statute | 35-55-117     |

**Taxation Offenses**

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|---|------------------|
| 126. A second or subsequent conviction for failure to provide an itemized list of household furnishings by a mobile home dealer | 39-5-203 (3) (b) |
| 127. Engaging in the business of selling at retail in this state without securing a license                                     | 39-26-103 (4)    |

**Offenses Related to Utilities**

- |  |               |
|--|---------------|
| 128. Operating a towing vehicle on a public way without holding a valid permit | 40-13-110 (2) |
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**Offenses Related to Vehicles and Traffic**

- |  |                   |
|--|-------------------|
| 129. Violating provisions of law regarding identification cards issued by Department of Revenue  | 42-2-310          |
| 130. Providing for the movement of a manufactured home, by an owner of a manufactured home, without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit | 42-4-510 (12) (b) |
| 131. Violation of any of the provisions of part 1 of article 5 of title 42 regarding motor vehicle theft not otherwise specified   | 42-5-108          |
| 132. Releasing an impounded vehicle from a garage or service station without an official release or court order when such vehicle has been ordered held by an officer of the Colorado State Patrol     | 42-13-105         |
| 133. Violation of a rule or regulation promulgated pursuant to section 42-20-105 regarding the transport of hazardous materials by motor vehicle   | 42-20-109 (1)     |
| 134. Violation of a rule or regulation promulgated pursuant to section 42-20-108 regarding the transport of hazardous materials by motor vehicle both in interstate and intrastate transportation      | 42-20-109 (2)     |
| 135. Failure to give immediate notice to law enforcement of a hazardous materials spill when transporting hazardous materials as cargo   | 42-20-113 (4)     |

**Offense**

**C.R.S. Citation**

**Offenses Related to Highways and Roads**

136. Intentionally blocking any public highway which extends to any public land, 43-2-201.1 (1)  
thereby closing public access to public lands

## UNCLASSIFIED MISDEMEANORS

### Offense

### C.R.S. Citation

#### **Offenses Involving Fraud**

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|---|--|
| 1. Violation, by an employment agency, of the provisions of section 18-5-307 regarding fees paid to private employment agencies | 18-5-307 (6) (\$1,000 maximum fine, or up to 1 year jail, or both) |
|---|--|

#### **Offenses Relating to Morals**

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|---------------------------------------|--|
| 2. Dispensing violent films to minors | 18-7-601 (3) (\$1,000 fine first offense, \$5,000 fine second and subsequent offenses) |
|---------------------------------------|--|

#### **Offenses Related to Governmental Operations**

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|---|---|
| 3. Attempt to escape while in custody or confinement following conviction of a misdemeanor or petty offense | 18-8-208.1 (3) (2 to 4 months jail to run consecutively with other sentences) |
|---|---|

#### **Uniform Controlled Substances Act of 1992**

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|---|---|
| 4. Violation of paragraphs (e) through (n) of subsection 1 or of subsection 2 of section 18-18-414. Uniform Controlled Substances Act of 1992 | 18-18-414 (4) (up to \$500 fine, or up to 1 year jail, or both) |
|---|---|

#### **Election Code Offenses**

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|---|---|
| 5. Handling of a voting machine or electronic voting equipment or device by an elected official | 1-5-607, 1-13-708.5 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 6. Violation of duty imposed by election code   | 1-13-107 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 7. Anonymous statements concerning candidates or issues   | 1-13-108 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)        |
| 8. Wagers with electors   | 1-13-110 (\$1,000 maximum fine, or up to 1 year jail, or both)            |
| 9. Failure to comply with requirements of secretary of state                                    | 1-113-114 (\$500 maximum fine, or up to 30 days jail)                     |
| 10. Interference with distribution of election material   | 1-13-113 (\$750 maximum fine, and replacement costs)                      |
| 11. Interfering with or impeding registration   | 1-13-201 (\$1,000 maximum fine, or up to 1 year jail, or both)            |

**Offense****C.R.S. Citation**

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| 12. Unlawful qualification as taxpaying elector  | 1-13-202 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 13. Procuring false registration   | 1-13-203 (\$5,000 maximum fine, or up to 18 months jail, or both)          |
| 14. Adding names after registration closed   | 1-13-204 (\$200 to \$500 fine)   |
| 15. County clerk signing wrongful registration   | 1-13-205 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 16. Influencing, by a deputy county clerk and recorder, a person to affiliate with a political party   | 1-13-208 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 17. Influencing, by a high school registrar, a person to affiliate with a political party  | 1-13-209 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 18. Fraud at precinct caucus, assembly, or convention  | 1-13-301 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 19. Fraudulent voting in precinct caucus, assembly, or convention  | 1-13-302 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 20. Voting more than once, procuring another to vote fraudulently, impersonating any elector, procuring another to impersonate any elector, influencing any voter by bribery or duress, or receiving money for casting of vote at precinct caucus, assembly, or convention | 1-13-303 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 21. Bribery of petition signers  | 1-13-401 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 22. Tampering with nomination papers   | 1-13-402 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 23. Defacing of petitions other than nominating petitions  | 1-13-403 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 24. Tampering with election notices or supplies  | 1-13-601 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 25. Interference with election official  | 1-13-701 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 26. Interference with election watcher   | 1-13-702 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 27. Tampering with registration book, registration list, or pollbook   | 1-13-703 (\$1,000 maximum fine, or up to 1 year jail, or both)             |

**Offense****C.R.S. Citation**

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|---|--|
| 28. Unlawfully refusing ballot or permitting unlawful vote                              | 1-13-704 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 29. Unlawfully delivering and receiving ballots at polls                                | 1-13-706 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 30. Inducing defective ballot   | 1-13-707 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 31. Tampering with voting equipment   | 1-13-708 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 32. Interference with voter while voting  | 1-13-711 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 33. Disclosing or identifying vote  | 1-13-712 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 34. Intimidation  | 1-13-713 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 35. Electioneering — removal of ballots before closing of polls                         | 1-13-714 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 36. Liquor in or near polls   | 1-13-715 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 37. Destroying, removing, or delaying delivery of election records                      | 1-13-716 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 38. Destruction of election supplies  | 1-13-717 (\$5 to \$100 fine, or up to 3 months jail, or both)              |
| 39. Unlawful release of information concerning ballot count                             | 1-13-718 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 40. Employer's unlawful acts regarding campaigns, elections, and voting                 | 1-13-719 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 41. Unlawfully giving or promising money or employment in return for a vote or non-vote | 1-13-720 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 42. Unlawful receipt of money or jobs in return for a vote or non-vote                  | 1-13-721 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 43. Defacing or removing abstract of votes  | 1-13-722 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 44. Neglect of duty and destruction of seal on ballots or ballot boxes                  | 1-13-723 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |



**Offense****C.R.S. Citation**

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| 45. Mailing other material with absentee voter's ballot  | 1-13-801 (\$1,000 maximum fine, or up to 1 year jail, or both)       |
| 46. Absentee voter applications and deliveries outside county clerk and recorder's office  | 1-13-802 (\$1,000 maximum fine, or up to 1 year jail, or both)       |
| 47. Tampering with initiative or referendum petition   | 1-40-131 (\$1,000 maximum fine, or up to 1 year jail, or both)       |
| 48. Violation of any of the provisions of section 1-45-110.5 regarding the reporting of independent expenditures by any person or campaign treasurer | 1-45-110.5 (3) (\$1,000 maximum fine, or up to 1 year jail, or both) |

**Offenses Related to the Legislature**

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|---|---|
| 49. Failing or refusing to obey any summons issued by the General Assembly                          | 2-2-314 (\$500 maximum fine, or up to 1 year jail, or both)             |
| 50. Willfully violating the rules and regulations of the General Assembly                           | 2-2-404 (7) (\$100 maximum fine, or up to 30 days jail, or both)        |
| 51. Willfully disclosing the contents of any report prepared by the state auditor prior to approval | 2-3-103.7 (1) (\$500 maximum fine)                                      |
| 52. Interfering with legislative audit  | 2-3-107 (2) (\$100 to \$1,000 fine, or 1 month to 1 year jail, or both) |

**Uniform Consumer Credit Code Offenses**

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|---|---|
| 53. A supervised lender who willfully makes charges in excess of those permitted by Uniform Consumer Credit Code          | 5-5-301 (1) (\$5,000 maximum fine, or up to 1 year jail, or both) |
| 54. One other than a supervised lender who willfully engages in the business of making supervised loans without a license | 5-5-301 (2) (\$5,000 maximum fine, or up to 1 year jail, or both) |
| 55. Failing to comply with Uniform Consumer Credit Code concerning notification or payment of fees                        | 5-5-301 (3) (\$1,000 maximum fine)                                |
| 56. Failure to comply with Uniform Consumer Credit Code concerning disclosure and advertising                             | 5-5-302 (\$5,000 maximum fine, or up to 1 year jail, or both)     |
| 57. Violation of the provisions of article 10 of title 5, the Colorado Rental Purchase Agreement Act                      | 5-10-901 (1) (\$500 maximum fine)                                 |

## **Offense**

## **C.R.S. Citation**

### **Consumer and Commercial Affair Offenses**

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| 58. Selling any article or product below cost for the purpose of injuring competitors and destroying competition               | 6-2-105 (1) (a) (\$100 to \$1,000 fine, or up to 6 months jail, or both) |
| 59. Selling or advertising motor fuel for less than the cost to a vendor for the purpose of injuring or destroying competition | 6-2-105 (1) (b) (\$100 to \$1,000 fine, or up to 6 months jail, or both) |
| 60. Secret rebates or refunds not extended to all purchasers   | 6-2-108 (\$100 to \$1,000 fine, or up to 6 months jail, or both)         |
| 61. Violation of any of the provisions of sections 6-2-103 to 6-3-108 or 6-2-110 of the Unfair Practices Act                   | 6-2-116 (\$100 to \$1,000 fine, or up to 6 months jail, or both)         |

### **Offenses Related to Corporations and Associations**

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| 62. Failing or refusing, by an officer or director of a corporation, to answer truthfully interrogatories propounded by the Secretary of State or submitting false material (directors, officers, records)  | 7-24-112 (\$500 maximum fine)                                |
| 63. Failing or refusing, by a corporation, to answer truthfully interrogatories propounded by the Secretary of State or submitting false material (reports, fees)   | 7-28-105 (2) (\$500 maximum fine)                            |
| 64. Damaging property of a ditch and reservoir company  | 7-42-109 (\$500 maximum fine, or up to 1 year jail, or both) |
| 65. Misuse of or trafficking in articles or supplies upon which a name, mark, or device has been filed with the Secretary of State  | 7-73-109 (\$10 to \$50 fine)                                 |
| 66. Failure or refusal of a domestic or foreign corporation to answer, truthfully and fully, interrogatories propounded by the Secretary of State   | 7-116-109 (3) (\$500 maximum fine)                           |
| 67. Failure or refusal of an officer or director of a domestic or foreign corporation to answer, truthfully and fully, interrogatories propounded by the Secretary of State, or signing a document filed with the Secretary of State which is known to be false in any material respect | 7-116-109 (4) (\$1,000 maximum fine)                         |

## **Offense**

## **C.R.S. Citation**

### **Offenses Related to Labor and Industry**

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| 68. Failure of employee or employer to furnish information to the Division of Labor as required                            | 8-1-114 (2) (\$200 fine if an employer and \$25 fine if an employee) |
| 69. Obstructing the performance of duties of the Industrial Claims Appeals Office  | 8-1-116 (2) (\$1,000 maximum fine, or up to 6 months jail, or both)  |
| 70. Using statutory provisions for the purpose of unjustly maintaining a given condition of affairs through delay          | 8-1-125 (3) (\$100 maximum fine)                                     |
| 71. Declaring or causing a lockout contrary to law   | 8-1-129 (1) (\$1,000 maximum fine, or up to 6 months jail, or both)  |
| 72. An employee going on strike contrary to law  | 8-1-129 (2) (\$50 maximum fine, or up to 6 months jail, or both)     |
| 73. Inciting, encouraging, or aiding a lockout or strike contrary to law   | 8-1-129 (3) (\$1,000 maximum fine, or up to 6 months jail, or both)  |
| 74. Failure of witness to appear and testify in response to a subpoena authorized by the director of the division of labor | 8-1-139 (1) (\$100 maximum fine, or 30 days for each day in default) |
| 75. Coercing employees because of labor organization connection  | 8-2-103 (\$100 to \$500 fine, or 6 months to 1 year jail, or both)   |
| 76. Obtaining workmen by misrepresentation, false advertising, or false pretenses  | 8-2-105 (\$2,000 maximum fine, or up to 1 year jail, or both)        |
| 77. Unlawfully preventing employees from participating in politics   | 8-2-108 (1) (\$2,000 maximum fine, or up to 1 year jail, or both)    |
| 78. Unlawfully blacklisting or publishing a blacklist  | 8-2-111 (\$50 to \$250 fine, or 30 to 90 days jail, or both)         |
| 79. Unlawfully publishing notice of boycott, unlawfully intimidating workmen, or unlawfully maintaining a blacklist        | 8-2-115 (\$10 to \$250 fine, or up to 60 days jail, or both)         |
| 80. Interference with official in performance of duties under the Labor Peace Act  | 8-3-116 (\$500 maximum fine, or up to 1 year jail, or both)          |
| 81. Violation of the provisions of the Labor Peace Act   | 8-3-122 (\$50 to \$500 fine)   |
| 82. Unlawfully claiming tips or gratuities unless a notice is posted   | 8-4-116 (\$300 maximum fine, or up to 30 days jail, or both)         |
| 83. Falsely denying amount or validity of wage claim   | 8-4-117 (\$300 maximum fine, or up to 30 days jail, or both)         |

**Offense****C.R.S. Citation**

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| 84. Discriminating against migratory laborer who has filed any complaint or instituted proceedings   | 8-4-124 (\$500 maximum fine, or up to 60 days jail, or both)         |
| 85. Discriminating against employee who serves on a wage board   | 8-6-115 (\$200 to \$1,000 fine)                                      |
| 86. Payment of less than the minimum wage  | 8-6-116 (\$100 to \$500 fine, 30 days to 1 year jail, or both)       |
| 87. Permitting a minor to be employed in violation of the Youth Employment Opportunity Act   | 8-12-116 (1) (\$20 to \$100 fine)                                    |
| 88. Violation of provisions regarding Youth Employment Opportunity Act   | 8-12-116 (2) (\$20 to \$100 fine)                                    |
| 89. Violation of eight-hour day statute  | 8-13-103 (\$250 to \$500 fine, or 90 days to 6 months jail, or both) |
| 90. Violation of hours of duty for firemen   | 8-13-108 (\$100 to \$500 fine, or up to 100 days jail, or both)      |
| 91. Violation of hours of work in cement and plaster factories   | 8-13-111 (\$250 to \$500 fine, 90 days to 6 months jail, or both)    |
| 92. Violation of statutes on Protection of Building Employees  | 8-14-105 (\$50 to \$500 fine)  |
| 93. Violation of statute giving preference of Colorado labor on public works   | 8-17-103 (\$500 maximum fine, or up to 1 year jail, or both)         |
| 94. Violation of statutes concerning fuel products   | 8-20-229 (\$50 to \$300 fine, or up to 90 days jail, or both)        |
| 95. Violation of statutes concerning containers of gas or gaseous compounds  | 8-20-305 (\$300 maximum fine, or up to 90 days jail, or both)        |
| 96. Violation of regulations of the State Inspector of Oils  | 8-20-403 (\$500 maximum fine)  |
| 97. Violation of statutes concerning liquefied petroleum gas   | 8-20-412 (\$50 to \$300 fine, or up to 90 days jail, or both)        |
| 98. Violation of Colorado Antifreeze Law   | 8-20-812 (\$50 to \$300 fine)  |
| 99. Violation of brake fluid product standards statute   | 8-20-904 (\$50 to \$300 fine)  |
| 100. Failure of a company or corporation who contracts with a landowner or lessee of a farm or ranch to provide insurance coverage or compensation for injury or death | 8-41-401 (4) (b) (\$500 maximum fine or up to 60 days jail or both)  |

**Offense****C.R.S. Citation**

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| 101. Cutting of rates, rebating, or other method, whereby any employer is given the benefit of or obtains a rate lower than that approved by Commissioner of Insurance  | 8-44-104 (\$100 maximum fine)  |
| 102. Violating provision concerning confidential records in Employment and Training Division  | 8-72-107 (1) (\$20 to \$200, or up to 90 days jail, or both)               |
| 103. Failure to attend and testify or produce documents before Employment and Training Division   | 8-72-108 (2) (\$200 maximum fine, or up to 60 days jail, or both)          |
| 104. Making, requiring, or accepting any deduction from wages to finance employer's taxes   | 8-80-101 (\$100 to \$1,000 fine, or up to 6 months jail, or both)          |
| 105. Charging fee to individual claiming benefits under Employment Security law   | 8-80-102, 8-81-101(3) (\$20 to \$200 fine, or up to 60 days jail, or both) |
| 106. Making a false statement of material fact with intent to defraud under Employment Security law   | 8-81-101 (1) (a) (\$25 to \$1,000 fine, or up to 6 months jail, or both)   |
| 107. Making a false statement of material fact with intent to defraud, or failing or refusing to pay required taxes, or to furnish reports as required, or to refuse the inspection of records, under the Employment Security law | 8-81-101 (2) (\$25 to \$1,000 fine, or up to 6 months jail, or both)       |
| 108. Violation of Employment Security law for which a penalty is not provided   | 8-81-101 (3) (\$20 to \$200 fine, or up to 60 days jail, or both)          |

**Offenses Related to Industrial and Commercial Safety**

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| 109. Violation of public assemblage building construction requirements      | 9-1-102 (\$500 maximum fine)   |
| 110. Failing to have doors open outward in buildings for public assemblage  | 9-1-104 (\$200 maximum fine)   |
| 111. Violation of statutes regarding the sale and use of fire extinguishers | 9-3-104 (\$100 maximum fine, or up to 30 days jail, or both)         |
| 112. Violation of statute concerning boiler location                        | 9-4-108 (1)(4) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 113. Failure of boiler inspectors to perform duty                           | 9-4-111 (\$100 to \$1,000 fine, or 2 months to 1 year jail, or both) |
| 114. Violation of statute regarding the marking and packaging of explosives | 9-6-107 (\$5,000 maximum fine, or up to 1 year jail, or both)        |

**Offense****C.R.S. Citation**

115. Manufacture, sell, store, transport, or use explosives without obtaining a permit

9-7-111 (\$25 to \$500 fine, or up to 1 year jail, or both)

**Insurance Related Offenses**

116. Defamation of another insurance company

10-1-120 (\$500 maximum fine, or up to 1 year jail, or both)

117. False testimony in reference to any matter material to an investigation by the insurance commissioner

10-1-204 (4) (\$500 maximum fine, or up to 3 months jail, or both)

118. False certification of any books or papers filed with the Division of Insurance in the course of an investigation

10-1-204 (5) (up to \$1,000 fine, or 2 to 12 months jail, or both)

119. Procuring, receiving, or forwarding applications for insurance in, or to issue or to deliver policies for any insurance company not legally authorized to do business in this state

10-3-104 (\$100 fine, or 2 months jail, or both)

120. Violation of insurance laws

10-3-111 (\$1,000 maximum fine and up to 1 year jail)

121. Violation of restrictions on increase of capital of insurance companies

10-3-114 (\$500 maximum fine, or up to 6 months jail, or both)

122. Failing to comply with orders of Insurance Commissioner when company is under conservatorship

10-3-411 (\$5,000 maximum fine, or up to 2 years jail, or both)

123. Filing application for receivership of a domestic insurance company without approval of the application by the Insurance Commissioner

10-3-504.5 (\$1,000 maximum fine, or 1 month to 1 year jail, or both)

124. Violation of the provisions regarding the regulation of insurance activities related to disclosure of HIV test results

10-3-1104.5 (6) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)

125. Noncompliance with statutes governing mutual insurance companies and mutual protective associations

10-12-103 (1) (\$500 to \$1,500 fine)

126. Paying dividend or refund in violation of statute

10-12-216 (2) (1 week to 1 year jail)

127. Noncompliance with statutes governing interinsurance contracts

10-13-110 (\$100 to \$1,000 fine)

## **Offense**

## **C.R.S. Citation**

128. Willfully making false or fraudulent representation in or with reference to any application for membership in fraternal benefit society or for the purpose of obtaining money from any society

10-14-704 (1) (\$500 to \$2,500 fine, or 30 days to 1 year jail, or both), (3) (\$100 to \$500 fine), and (4) (up to \$2,000 fine)

### **Offenses Related to Financial Institutions**

129. Violation of the provisions of the Public Deposit Protection Act by an official bank custodian

11-10.5-111 (4) (b) (\$200 to \$500 mandatory fine)

130. Violation of the provisions of the Public Deposit Protection Act by a officer, or manager

11-10.5-111 (4) (c) (\$200 to \$2,000 mandatory fine)

131. Unauthorized conduct of banking business

- Receipt of deposits while insolvent
- Unlawful service as officer or director
- Unlawful gratuity, compensation, or transactions
- Unlawful concealment of transactions
- Unlawful payment of penalties and judgment against others
- Embezzlement or misapplication of funds

11-11-108 (1) (a) (\$1,000 maximum fine, or up to 1 year jail, or both)

132. Carrying on a trust company business without a license

11-23-119 (\$1,000 maximum fine, or up to 1 year jail, or both)

133. Unlawful use of the words "credit union"

11-30-105 (\$500 maximum fine, or up to 60 days jail, or both)

134. Defamation of another savings and loan association

11-40-107 (\$300 to \$1,000 fine, or 3 months to 1 year jail, or both)

135. Circulating false information concerning savings and loan association

11-40-108 (\$300 maximum fine, or 6 months to 1 year jail, or both)

136. Violation of provisions governing officers and directors of savings and loan associations

11-41-127 (2) (\$500 maximum fine, or up to 90 days jail, or both)

137. Violation, by a member of the Financial Services Board, of the oath to keep secret all information acquired by them in the discharge of their duties

11-44-101.6 (8) (\$1,000 maximum fine, or up to 1 year jail, or both)

138. Testifying falsely in reference to any matter being investigated by Commissioner of Insurance

11-44-109 (5) (\$500 maximum fine, or up to 3 months jail, or both)



**Offense****C.R.S. Citation**

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| 139. Willfully making a false certificate, entry, or memorandum upon the books of a savings and loan association filed with the Division of Savings and Loan | 11-44-109 (6) (\$1,000 maximum fine, or 2 months to 1 year jail, or both) |
| 140. Noncompliance with orders of Division of Savings and Loan   | 11-44-114 (\$300 maximum fine, or up to 90 days jail, or both)            |
| 141. Failure of government official to deposit public moneys only in eligible savings and loan associations  | 11-47-118 (2) (\$200 to \$500 mandatory fine)                             |

**Offenses Related to Professions and Occupations**

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| 142. Failure, by a motor vehicle dealer, wholesaler, or used motor vehicle dealer which issues a draft or check, to honor such draft or check causing loss to a third party | 12-6-121.6 (2) (mandatory \$2,500 fine)                                    |
| 143. Violation of Sunday Closing law  | 12-6-303 (\$75 to \$1,000 fine, or up to 6 months jail, or both)           |
| 144. Violation of Bail Bondsmen statute   | 12-7-109 (2) and (3) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 145. Violation of Cemeteries statute  | 12-12-115 (3) (\$1,000 maximum fine, or up to 1 year jail, or both)        |
| 146. Violation of Life Care Institutions statute  | 12-13-112 (\$10,000 maximum fine, or up to 6 months jail, or both)         |
| 147. Violation of Commercial Driving Schools statute  | 12-15-120 (\$500 maximum fine, or up to 30 days jail, or both)             |
| 148. Violation of Dance Halls statute   | 12-18-104 (\$25 to \$300 fine, or 10 to 30 days jail, or both)             |
| 149. Engaging in business as a debt adjuster without a license  | 12-20-112 (1) (\$1,000 maximum fine, or up to 6 months jail, or both)      |
| 150. Violation of the Debt Adjusters statute  | 12-20-112 (2) (\$1,000 maximum fine)                                       |
| 151. Violation of Escort Services statute   | 12-25.5-113 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)      |
| 152. Violation of Firearm Dealers statute   | 12-26-103 (\$25 to \$100 fine, or up to 1 year jail, or both)              |

**Offense****C.R.S. Citation**

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| 153. Violation of Cancer Cure Control statute   | 12-30-106 (2) and 12-30-107 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 154. Procuring food or accommodations with intent to defraud, if under \$50   | 12-44-102 (\$500 maximum fine, or up to 90 days jail, or both)                        |
| 155. Violation of Massage Parlor Code statute   | 12-48.5-111 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)                 |
| 156. Violation of Mercantile License statute  | 12-51-106 (\$300 maximum fine, or up to 6 months jail, or both)                       |
| 157. Violation of Money Orders statute  | 12-52-115 (\$10,000 maximum fine)   |
| 158. Violation of Mortuaries statute  | 12-54-118 (\$5,000 maximum fine, or up to 2 years jail, or both)                      |
| 159. Refusal to permit the inspection of applicable documents, records, or other items required to be maintained by outfitters and guides, when requested to do so by peace officer   | 12-55.5-107 (3) (\$100 fine)  |
| 160. Engaging in activities as an outfitter or representing oneself as an outfitter without first obtaining a certificate of registration; acting as an outfitter if such registration has been suspended or revoked or has expired | 12-55.5-107.5 (1) (\$1,000 to \$5,000 fine, or up to one year jail, or both)          |
| 161. Working as an outfitter guide when not 18 years of age or without possession of a valid instructor's card in first aid or standard first aid or evidence of equivalent training  | 12-55.5-108 (2) (\$100 fine)  |
| 162. Violation of Private Occupational School statute   | 12-59-122 (\$1,000 maximum fine, or up to 6 months jail, or both)                     |
| 163. Violation of Real Estate statute   | 12-61-119 (\$500 maximum fine, or up to 6 months jail, or both)                       |
| 164. Willfully failing to appear and respond to subpoena in investigation by Real Estate Commission   | 12-61-121 (\$25 fine, or up to 30 days jail, or both for each day of offense)         |

**Offense****C.R.S. Citation****Offenses Related to Courts and Court Procedure**

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| 165. Violation of provisions regarding the abolition of common law civil actions for breach of promise to marry, alienation of affections, criminal conversation and seduction | 13-20-208 (\$1,000 maximum fine, or up to 90 days jail, or both)    |
| 166. Failure of judge to bind any witness or prisoner by recognizance  | 13-45-106 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |

**Offenses Related to Domestic Matters**

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|---|-------------------------------|
| 167. Knowingly violating provisions of the Uniform Marriage Act | 14-2-113 (\$500 maximum fine) |
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**Offenses Related to Criminal Proceedings**

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|---|---|
| 168. Noncompliance with provisions regarding extradition of fugitives | 16-19-112 (\$1,000 maximum fine, or up to 6 months jail, or both) |
|---|---|

**Offenses Related to the Children's Code**

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| 169. Charging money for consent to adoption | 19-5-213 (2) (\$100 to \$500 fine, or 90 days jail, or both) |
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**Education Related Offenses**

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|---|---|
| 170. Refusing to take oath when required by school census enumerator  | 22-1-113 (\$1 to \$10 fine)                                       |
| 171. School district officer or employee who refuses to perform duty required by law when directed to perform such duty | 22-32-123 (\$100 maximum fine, or up to 90 days jail, or both)    |
| 172. Discrimination in teacher employment   | 22-61-101 (2) (\$50 maximum fine, or up to 90 days jail, or both) |
| 173. Allowing a teacher to instruct without taking oath or affirmation  | 22-61-105 (\$100 maximum fine, or up to 6 months jail, or both)   |

**Offenses Related to Higher Education**

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| 174. Violation of any of the provisions of the Forest Products statute | 23-30-404 (1) (Fine of twice the retail value of the forest products involved) |
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**Offense****C.R.S. Citation****Offenses Related to State Government**

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| 175. Violation of Public Official Disclosure law   | 24-6-202 (7) (\$1,000 to \$5,000 fine)   |
| 176. Wilfully filing a false or incomplete report or wilfully failing to provide the statement of value pursuant to the Public Official Disclosure Law | 24-6-203 (7) (\$50 to \$1,000 fine)  |
| 177. Violation of provisions regulating lobbyists  | 24-6-309 (1) (\$5,000 maximum fine, or up to 1 year jail, or both)                   |
| 178. Failure of any officer to deliver any money to his sureties or acts in performance of his duties after failing to give a new bond                 | 24-13-114 (\$500 to \$5,000 fine)  |
| 179. Violation of proclamation of state of riot statute  | 24-20-204 (\$100 to \$1,000 fine, or up to 1 year jail, or both)                     |
| 180. Neglect of duty by State Treasurer  | 24-22-108 (\$100 to \$1,000 fine and removal from office at court's discretion)      |
| 181. Refusal of State Treasurer to pay warrant   | 24-22-109 (1 year maximum jail)  |
| 182. Drawing or issuing any warrant upon the State Treasurer not authorized by law   | 24-30-202 (14) (Four-fold the amount of such warrant, or up to 1 year jail, or both) |
| 183. Willfully neglecting or refusing to perform duties prescribed by fiscal rules promulgated by the controller                                       | 24-30-202 (17) (\$100 to \$1,000 fine)   |
| 184. Divulging information, by the Department of Administration, in a confidential document  | 24-30-1105 (2) (b) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)     |
| 185. Violation of statute regarding manufacture of equipment for camper trailers and camper coaches  | 24-32-909 (\$50 to \$100 fine)   |
| 186. Discrimination in places of public accommodation  | 24-34-602 (\$10 to \$300 fine, or up to 1 year jail, or both)                        |
| 187. Publication of discriminatory matter  | 24-34-705 (\$100 to \$500 fine, or 30 days to 90 days jail, or both)                 |
| 188. Denying or interfering with the rights to or enjoyment of public facilities by the blind and other handicapped persons                            | 24-34-802 (\$100 maximum fine, or up to 60 days jail, or both)                       |
| 189. Contracts for public printing with prohibited persons   | 24-70-217 (\$1,000 maximum fine)   |

**Offense****C.R.S. Citation**

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| 190. Violation of statute regarding requirements for public printing contracts  | 24-70-228 (\$1,000 maximum fine)                                   |
| 191. Failure to furnish abstracts or copies pursuant to the Public Records statute  | 24-72-110 (2) (\$100 to \$1,000 fine)                              |
| 192. Violation of Public Open Records law   | 24-72-206 (\$100 maximum fine, or up to 90 days jail, or both)     |
| 193. Violation of Criminal Justice Records law  | 24-72-309 (\$100 maximum fine, or up to 90 days jail, or both)     |
| 194. Divulging information regarding a recommendation of the Commission on Judicial Discipline before such recommendation is filed with the Supreme Court | 24-72-402 (Up to a \$500 fine)                                     |
| 195. Appropriating, excavating, injuring, or destroying any historical, prehistorical, or archaeological resource on public land without a permit         | 24-80-409 (1) (\$500 maximum fine, or up to 30 days jail, or both) |
| 196. Destroying, defacing, removing or injuring monuments or marks erected to mark the Santa Fe trail   | 24-80-801 (\$100 fine, or 30 to 90 days jail, or both)             |
| 197. Violating the limitation on picking the state flower   | 24-80-908 (\$5 to \$50 fine)                                       |
| 198. Destroying, damaging, defacing, or taking anything from a designated ghost town  | 24-80-1202 (\$2,000 maximum fine, or up to 6 months jail, or both) |

**Health Related Offenses**

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| 199. Violation of Health laws   | 25-1-114 (4) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 200. Violation of Public Health laws                                  | 25-1-514 (4) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 201. Unlawful disposition of dead animals                             | 25-1-612 (\$5 to \$50 fine)  |
| 202. Selling or permitting to run at large a diseased domestic animal | 25-1-663 (\$5 to \$100 fine, or 10 to 90 days jail, or both)       |
| 203. Importing a diseased domestic animal                             | 25-1-664 (\$100 to \$5000 fine, or up to 1 year jail, or both)     |
| 204. Violation of Regional Health Department statute                  | 25-1-716 (4) (\$1,000 maximum fine, or up to 1 year jail, or both) |

**Offense****C.R.S. Citation**

205. Making a false statement on any vital statistics record	25-2-118 (1) (\$1,000 maximum fine, or up to 1 year jail, or both)
206. Violation of the provisions of the Vital Statistics Act	25-2-118 (2) (Up to \$100 fine, or up to 30 days jail, or both)
207. Operating hospital without license	25-3-105 (\$50 to \$500 fine)
208. Unlawfully maintaining or allowing to exist a nuisance — unsanitary conditions	25-4-106 (\$200 maximum fine)
209. Violation of Disease Control statute	25-4-111 (\$200 maximum fine)
210. Violation of Prenatal Examination statute	25-4-204 (\$300 maximum fine)
211. Violation of Blindness in Newly Born statute	25-4-305 (\$10 to \$50 fine, or up to 50 days jail)
212. Violation of Venereal Disease statute	25-4-407 (\$300 maximum fine, or up to 90 days jail, or both)
213. Violation of Tuberculosis statute	25-4-509 (1) (\$1,000 maximum fine, or up to 1 year jail, or both, plus order of isolation, quarantine, or treatment)
214. Failure to make required reports pursuant to the Tuberculosis statute	25-4-509 (2) (\$100 maximum fine)
215. Violation of Rabies Control statute	25-4-614 (\$100 maximum fine, or up to 30 days jail)
216. Violation, by a retail food store owner, of any of the provisions of the Retail Food Store Sanitation Act	25-4-1312 (Up to \$500 fine, or up to 90 days jail, or both)
217. Releasing or making public confidential information from a medical record regarding the results of a test for the HIV virus	25-4-1409 (2) (\$500 to \$5,000 fine, or 6 months to 2 years jail, or both)
218. Violation of Enrichment of Flour and Bread statute	25-5-206 (\$100 maximum fine, or up to 30 days jail)
219. Violation of the provisions of section 25-5-403 (1) of the Colorado Pure Food and Drug Law	25-5-405 (1) (\$1000 maximum fine, or up to 6 months jail, or both)
220. Sale, furnishing, or giving to any person under 18 years of age, any confectionery which contains alcohol in excess of one-half of one percent by volume	25-5-405 (4) (Up to \$750 fine)

**Offense****C.R.S. Citation**

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| 221. Misbranding of imported meat  | 25-5-411 (1) (n) (\$100 to \$1,000 fine, or 30 to 90 days jail, or both)   |
| 222. Violation of section 25-5-504 of the Hazardous Substances statute   | 25-5-504 (1) (\$500 maximum fine, or up to 90 days jail, or both) (\$3,000 maximum fine, or up to 1 year jail, or both if with intent to defraud or mislead, or for second or subsequent offenses) |
| 223. Refusal to allow inspections provided for in the Dairy Products statutes or obstructing the proper officers from performing duties provided for in such statutes  | 25-5.5-114 (Up to \$100 fine, or up to 30 days jail)   |
| 224. Violation of the provisions not otherwise prescribed in part 1 of the Dairy Products statute  | 25-5.5-116 (\$10 to \$200 fine, and up to 60 days jail)  |
| 225. Violation of any of the provisions regarding imitation dairy products   | 25-5.5-209 (Up to \$1000 fine, or up to 90 days jail, or both)   |
| 226. Violation of the provisions of the Colorado Frozen Desserts Act   | 25-5.5-312 (Up to \$1,000 fine, or up to 90 days jail, or both)  |
| 227. Knowing violation of any requirement or prohibition of an emission control regulation listed in section 25-7-122.1 (1) (b) pursuant to the Colorado Air Pollution Prevention and Control Act                        | 25-7-122.1 (1) (b) (up to \$25,000 fine per day of violation)  |
| 228. Knowing violation of any requirement, prohibition, or order regarding an operating permit for emission of pollutants or failure to pay the permit fee   | 25-7-122.1 (1) (c) (up to \$25,000 fine per day of violation; penalty doubled for a second conviction within two years of first conviction)  |
| 229. Making any false statement, omission, alteration, representation, or certification in any document required pursuant to the Colorado Air Pollution Prevention and Control Act                                       | 25-7-122.1 (2) (up to \$12,500 fine per violation)   |
| 230. Negligent violation of any requirement or prohibition of an emission control regulation pursuant to the Prevention of Significant Deterioration Program under the Colorado Air Pollution Prevention and Control Act | 25-7-122.1 (3) (d) (up to \$12,500 fine per day of violation)  |
| 231. Failure to notify of discharge of oil in waters of the state  | 25-8-601 (2) (\$10,000 maximum fine, or up to 1 year jail, or both)  |



**Offense****C.R.S. Citation**

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| 232. Falsifying documents related to or tampering with water quality monitoring device   | 25-8-610 (1) (\$10,000 maximum fine, or up to 6 months jail, or both) |
| 233. False representation as a certified water treatment plant operator pursuant to the Water and Wastewater Treatment Plant Operators statute   | 25-9-110 (1) (\$300 maximum fine)                                     |
| 234. Operation of a water treatment plant or a wastewater treatment plant without supervision by a certified operator pursuant to the Water and Wastewater Treatment Plant Operators statute   | 25-9-110 (2) (\$300 maximum fine per day of violation)                |
| 235. Violation of sections 25-11-107 (1), (2), and (2.5) of the Radiation Control statute  | 25-11-107 (3) (\$100 to \$500 fine, or 30 to 90 days jail, or both)   |
| 236. Selling motor vehicle in violation of noise restriction statute   | 25-12-106 (3) (\$50 to \$300 fine)                                    |
| 237. Violation of Recreation Land Preservation statute   | 25-13-114 (\$500 maximum fine)  |
| 238. Transporting any hazardous waste to a facility without a permit, or treating, storing, or disposing such waste without a permit; false representation in any application or record required by the State Hazardous Waste Management Program | 25-15-310 (2) (\$25,000 maximum fine per day of violation)            |
| 239. Storage of hazardous waste, by a hazardous waste generator, exceeding the 90-day storage period or any extension thereof  | 25-15-310 (4) (b) (\$25,000 maximum fine per day of violation)        |
| 240. Falsifying identification or misrepresenting medical condition on identification device   | 25-20-107 (\$300 maximum fine, or up to 90 days jail, or both)        |
| 241. Conducting or maintaining a personal care boarding home without having obtained a license from the Department of Health   | 25-27-103 (1) (a) (\$50 to \$500 fine)                                |

**Human Services Code Offenses**

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| 242. Divulging confidential information of the Department of Social Services | 26-1-114 (5) (\$500 maximum fine, or up to 3 months jail, or both) |
| 243. Violation of Child Care Centers statute                                 | 26-6-112 (\$300 to \$500 fine)                                     |

**Offense****C.R.S. Citation****Offenses Related to Institutions**

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| 244. Incurring or contracting any indebtedness, by any officer of any state institution, for, on behalf of, or in the name of such institution or in the name of the state in excess of the sum appropriated by the General Assembly for the use and support of such institution for the fiscal year | 27-2-106 (\$300 maximum fine) |
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**Offenses Related to Military and Veterans**

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| 245. Discrimination against officers or enlisted men of the military in employment | 28-3-506 (\$500 maximum fine)                        |
| 246. Interference with officer or enlisted man of National Guard while on duty     | 28-3-507 (\$500 maximum fine, or up to 90 days jail) |
| 247. Destroying, damaging, selling, or illegally disposing of military property    | 28-3-702 (\$500 maximum fine or up to 6 months jail) |

**Offenses Related to Local Governments**

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| 248. Divulging sales tax information by employee of municipality or county   | 29-2-106 (4) (c) (II) (\$1,000 maximum fine and removal from office)              |
| 249. Impersonating a peace officer   | 29-5-102 (\$500 maximum fine, or up to 1 year jail, or both)                      |
| 250. The release of information obtained by the Colorado Travel and Tourism Authority regarding the collection of contributions except as necessary for enforcement and administration | 29-24-110 (4) (c) (\$500 to \$5,000 fine, or 6 months to two years jail, or both) |

**Offenses Related to County Governments**

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| 251. Sheriff who charges excessively for service of process or who refuses to serve process; charging for constructive mileage | 30-1-107 (\$5 to \$50 fine)                                    |
| 252. Public officer neglecting or refusing to perform official act   | 30-1-110 (\$10 to \$200 fine)                                  |
| 253. Refusing to pay over to County Treasurer or State Treasurer the fees of his office  | 30-1-117 (\$1,000 maximum fine, or up to 1 year jail, or both) |

**Offense****C.R.S. Citation**

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| 254. Acting as County Commissioner after failing to give bond or after judgment of removal from office has been entered  | 30-10-315 (\$500 to \$5,000 fine, or 30 days to 6 months jail)                         |
| 255. Failure of County Treasurer to perform duties   | 30-10-726 (\$50 to \$500 fine, removal from office at the court's discretion)          |
| 256. Defacing or destroying notice to leave attended and to extinguish camp fire   | 30-15-202 (\$100 maximum fine, or up to 3 months jail, or both)                        |
| 257. Discharging firearms in designated areas where it is unlawful   | 30-15-303 (\$100 maximum fine)   |
| 258. Violation of Solid Waste Disposal Site statute  | 30-20-114 (\$2,000 maximum fine, or up to 30 days jail or both)                        |
| 259. Failure of County Commissioner to publish financial statement of county   | 30-25-111 (3) (\$100 maximum fine)   |
| 260. Violation of Limitation on Levy statute   | 30-25-206 (\$1,000 maximum fine, removal from office)                                  |
| 261. Transferring title to or selling subdivided land before final plat has been approved  | 30-28-110 (4) (a) (\$500 to \$1,000 fine)  |
| 262. Erecting, constructing, altering, or using any building or structure in violation of county zoning regulation or unlawfully using a building or land in violation of county zoning regulation | 30-28-124 (1) (a) and (1) (b) (I) (\$100 maximum fine, or up to 10 days jail, or both) |
| 263. Violating any provision of the area building code   | 30-28-209 (\$100 maximum fine, or up to 10 days jail, or both)                         |

**Offenses Related to Municipal Governments**

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| 264. Mayor or member of the governing body of any city or town who receives illegal compensation  | 31-4-407 (\$25 to \$100 fine)                                      |
| 265. Willful destruction, defacement, mutilation, or suppression of a recall petition or willful neglect in filing or delays in delivering a recall petition for a municipal official or any other tampering with such petition | 31-4-503 (5) (Up to \$1,000 fine, or up to one year jail, or both) |
| 266. Penalty for Municipal Election Offenses not otherwise specified  | 31-10-1504 (\$1,000 maximum fine, or up to 1 year jail, or both)   |

**Offense****C.R.S. Citation**

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| 267. Wrongfully or willfully destroying, defacing, mutilating, suppressing, neglecting or failing to cause nomination papers to be filed by the proper time   | 31-10-1508 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 268. Offering or knowingly permitting anyone to offer a bribe or promise of gain to an elector in exchange for signing any nomination or election paper, or accepting such bribe or promise of gain   | 31-10-1509 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 269. Destroying, concealing, or suppressing official ballots, tally sheets, registration book or lists, or pollbook by an election official, or failure to deliver such to the clerk within the prescribed time                               | 31-10-1511 (1) and (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 270. Willfully destroying or defacing any ballot or tally sheet, or willfully delaying the delivery of such, or concealing or removing such from the polling place  | 31-10-1512 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 271. Willfully and maliciously, on the part of an election judge, refusing or neglecting to receive the ballot of any registered elector or knowingly and willfully permitting any person to vote who is not entitled to vote at any election | 31-10-1513 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 272. Revealing how a disabled voter voted after assisting such disabled person in voting  | 31-10-1514 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 273. Violating, neglecting, or omitting to perform, on the part of a municipal official or election official, imposed election duty or administering a false oath   | 31-10-1515 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 274. Violation of the offenses listed as unlawful receipt of money under the Municipal Election Code  | 31-10-1516 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)         |
| 275. Showing a ballot which has been prepared for voting in such a way as to reveal its contents or marking a ballot by means of which it can be identified   | 31-10-1517 (\$1,000 maximum fine, or up to 1 year jail, or both)             |
| 276. Violation of any of the offenses listed under "Delivering and receiving ballots at polls" in the Municipal Election Code   | 31-10-1518 (4) (\$1,000 maximum fine, or up to 1 year jail, or both)         |

**Offense****C.R.S. Citation**

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| 277. Electioneering on election day within any polling place or in any public street or room or in any public manner within 100 feet of any building in which a polling place is located   | 31-10-1521 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 278. Anonymous statements concerning candidates or issues  | 31-10-1521.5 (\$1,000 maximum fine, or up to 1 year jail, or both)   |
| 279. Violation of the offenses listed under "Employer's unlawful acts" in the Municipal Election Code  | 31-10-1522 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 280. Making use of, directly or indirectly, any force, violence, restraint, abduction, duress, or forcible or fraudulent device or contrivance, or to inflict or threaten to inflict, or to impede, prevent, or otherwise interfere a qualified elector, or to refrain from giving an elector his vote | 31-10-1523 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 281. Violation of any of the provisions of the offenses listed under "Unlawfully giving or promising money" in the Municipal Election Code   | 31-10-1524 (2) (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 282. Attempting to influence or deter a voter or fraudulently changing or altering a ballot  | 31-10-1525 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 283. Interfering with a voter when inside the immediate voting area or when marking a ballot or operating a voting machine   | 31-10-1526 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 284. Introducing liquor into polls while any election is in process  | 31-10-1527 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 285. Causing a ballot to misstate the wishes of the voter or causing other deceit with intent to induce a defective ballot to be cast  | 31-10-1528 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 286. Altering in any way an abstract of voters posted outside a polling place  | 31-10-1530 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 287. Making any bet or wager with a qualified elector upon any event arising out of an election  | 31-10-1531 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 288. Tampering with any notice of election or with any supplies or conveniences furnished to enable a voter to prepare his ballot  | 31-10-1532 (\$1,000 maximum fine, or up to 1 year jail, or both)     |
| 289. Tampering with registration book, registration list, or pollbook  | 31-10-1533 (\$1,000 maximum fine, or up to 1 year jail, or both)     |

**Offense****C.R.S. Citation**

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| 290. Tampering with a voting machine with intent to change the tabulation of votes  | 31-10-1534 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 291. Interfering with an election official or inducing an election official to violate his duties   | 31-10-1535 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 292. Taking or placing title to property in the name of another, or paying the taxes, or taking or issuing a tax receipt in the name of another for the purpose of attempting to qualify as a qualified taxpaying elector | 31-10-1536 (\$1,000 maximum fine, or up to 1 year jail, or both) |
| 293. Failing to keep registry of warrants or certificates of indebtedness   | 31-20-407 (\$100 to \$500 fine)                                  |
| 294. Making or causing to be made a connection of sewers serving property in any unincorporated territory with a sewerage system of any city without a permit from said city  | 31-35-712 (\$10 to \$50 fine, or 20 to 90 days jail, or both)    |

**Offenses Related to Special Districts**

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| 295. Maintaining a fire hazard within any fire protection district premises   | 32-1-1002 (3) (d) (\$50 to \$250 fine for each day of violation)       |
| 296. Making a false alarm or cutting a fire alarm telegraph   | 32-1-1002 (4) (b) (\$300 maximum fine, or up to 90 days jail, or both) |
| 297. Damaging or destroying works of water and sanitation districts   | 32-4-545 (1) (\$300 maximum fine, or up to 90 days jail, or both)      |
| 298. Wrongfully damaging, injuring, or destroying property, or impairing the usefulness of any facility, structure, improvement, equipment or other property of the Regional Transportation District, or interference with any officer, agent, or employee of the district in the discharge of his duties | 32-9-160 (1) (\$300 maximum fine, or up to 90 days jail, or both)      |
| 299. Same as above, provision applied to an Urban Drainage and Flood Control District   | 32-11-815 (\$300 maximum fine, or up to 90 days jail, or both)         |

**Offense****C.R.S. Citation****Offenses Related to Wildlife, Parks, and Outdoor Recreation**

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| 300. Failure to account for licenses or failure to pay over to the Division of Wildlife moneys received from the sales of licenses when the amount in question is less than \$200       | 33-4-101 (11) (a) (\$100 to \$1,000 fine, or up to 1 year jail, or both)  |
| 301. Violation of any of the provisions of articles 1 to 6 of title 33 pursuant to the Division of Wildlife and Parks and Outdoor Recreation  | 33-6-104 (1) (\$50 fine and 5 license suspension points)  |
| 302. Purchasing, applying for, or exercising the benefits conferred by a license when such license has been suspended   | 33-6-106 (6) (\$500 fine and a 2-year extension of the original suspension)   |
| 303. Procuring or using more than one license of a certain type in any one calendar year  | 33-6-107 (1) (\$50 fine and 10 license suspension points; \$200 fine and 15 license suspension points for big game license) |
| 304. Making a false statement in connection with applying for or purchasing a license, or accepting false information in connection with issuing a license                              | 33-6-107 (2) (\$200 fine and 15 license suspension points)  |
| 305. Taking wildlife without a proper and valid license   | 33-6-107 (3) (\$50 fine and 10 license suspension points; \$250 fine and 15 license suspension points for big game license) |
| 306. Hunting wildlife with a youth license when under 16 years of age unless personally accompanied by a person 18 years of age or older who holds a valid hunter education certificate | 33-6-107 (3.5) (\$50 fine and 5 license suspension points)  |
| 307. Taking big game, if under 14 years of age, or if between 14 and 18 years of age, not being accompanied by a person over 18 years of age  | 33-6-107 (4) (\$50 fine and 10 license suspension points)   |
| 308. Possessing wildlife without a license at the site where the wildlife is kept   | 33-6-107 (5) (\$50 fine and 10 license suspension points)   |
| 309. Fishing, if over 15 years of age, without a valid fishing license; If under 15 years of age, possessing more than 1/2 the bag or possession limit set by the commission            | 33-6-107 (6) (\$50 fine and 10 license suspension points)   |
| 310. The transfer, sale, loan, or assignment of a lawfully acquired license to another person   | 33-6-107 (7) (\$200 fine and 15 license suspension points)  |



**Offense****C.R.S. Citation**

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| 311. The purchase of any hunting or trapping license without a hunter education certificate by any person born on or after January 1, 1949                                       | 33-6-107 (8) (\$50 fine and 10 license suspension points)  |
| 312. Violation of the provisions of section 33-6-109 regarding illegal possession of wildlife  | 33-6-109 (3) and (4) (\$250 to \$1,000 fine and 5 to 10 license suspension points per incident)  |
| 313. Refusal to allow inspection of license and wildlife, a check of license and wildlife when requested to do so at a check station failure to tag wildlife, eluding an officer | 33-6-111 (1), (2), (3), and (4) (\$50 to \$1,000 fine and 5 to 10 license suspension points)   |
| 314. Failure to retain evidence of wildlife sex and species  | 33-6-112 (\$100 fine, and 10 license suspension points for big game; \$50 fine and 5 license suspension points for all other wildlife)   |
| 315. Illegal sale of wildlife other than big game  | 33-6-113 (2) (b) (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)  |
| 316. Violation of section 33-6-114 regarding the transportation, importation, exportation, and release of wildlife   | 33-6-114 (4) (\$50 fine and 5 license suspension points per incident involving native wildlife; \$250 to \$1,000 fine and 5 license suspension points per incident involving nonnative or exotic wildlife) |
| 317. Stealing wildlife not lawfully acquired or possessed  | 33-6-115 (1) (\$100 to \$500 fine and 20 license suspension points)  |
| 318. Tampering with a legally set trapping device  | 33-6-115 (2) (\$200 fine and 10 license suspension points)   |
| 319. Violation of section 33-6-116 regarding "Hunting, trapping, or fishing on private property-posting public lands"  | 33-6-116 (3) (\$100 fine and 20 license suspension points)   |
| 320. Willful destruction of wildlife other than big game, eagles, and endangered species   | 33-6-117 (1) (b) (\$100 to \$1,000 fine, or up to 1 year jail, or both and 20 license suspension points)   |
| 321. Advertising, conducting, or offering to conduct a contest to kill big game animals  | 33-6-118 (\$500 fine and 20 license suspension points)   |
| 322. Failure to make a reasonable attempt to locate game wildlife suspected of injury to take into possession  | 33-6-119 (1) (a) (\$100 fine and 15 license suspension points for big game; when small game, \$50 fine and 15 license suspension points)   |

**Offense****C.R.S. Citation**

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| 323. Failure to immediately dress or care for and provide for human consumption the edible portion of any game wildlife | 33-6-119 (2) (If big game, \$300 fine and 15 license suspension points; \$100 fine and 10 license points for other game) |
| 324. Using wildlife as bait   | 33-6-119 (3) (\$100 fine and 10 license suspension points)   |
| 325. Hunting, trapping, or fishing out of season or in a closed area  | 33-6-120 (\$100 fine and 10 license suspension points)   |
| 326. Violation of the provisions of section 33-6-121 requiring hunters to wear daylight fluorescent orange garments     | 33-6-121 (2) (\$50 fine and 5 license suspension points)   |
| 327. Hunting in a careless manner   | 33-6-122 (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)                        |
| 328. Hunting under the influence of alcohol or any controlled substance   | 33-6-123 (\$100 to \$1,000 fine, or up to 1 year jail, or both, and 20 license suspension points)                        |
| 329. Violation of the provisions of section 33-6-124 regarding use of a motor vehicle or aircraft to harass wildlife    | 33-6-124 (3) (\$200 fine and 15 license suspension points)   |
| 330. Possession of a loaded firearm in a motor vehicle  | 33-6-125 (\$50 fine and 15 license suspension points)  |
| 331. Shooting from a public road  | 33-6-126 (\$50 fine and 5 license suspension points)   |
| 332. Hunting with artificial light  | 33-6-127 (\$200 fine and 20 license suspension points)   |
| 333. Willfully damaging or destructing dens or nests or harassing wildlife  | 33-6-128 (1) (\$100 fine and 10 license suspension points)   |
| 334. Knowingly or negligently allowing or directing a dog to harass wildlife  | 33-6-128 (2) (\$200 fine)  |
| 335. Damaging property or habitat under the Division of Wildlife's control  | 33-6-129 (1) (\$100 to \$1,000 fine, or up to 1 year jail, or both, and reimbursement for damages upon order of court)   |
| 336. Using any Division of Wildlife property in violation of any commission rule or regulation                          | 33-6-129 (2) (\$50 fine)   |

## Offense

337. Using toxicants, poisons, drugs, dynamite, explosives, or any stupefying substances for the purpose of taking or harassing any wildlife
338. Failure to account for passes and registrations or failure to pay over moneys received from the sale of passes and registrations to the Division of Parks and Outdoor Recreation
339. Operation of a vessel in a wanton manner or with willful disregard for the safety of persons or property
340. Operation of a vessel while under the influence of alcohol or drugs
341. Operating a sailboat or motorboat while under the influence of alcohol or a controlled substance
342. Knowing authorization of the operation of a motorboat or sailboat by another who is under the influence of alcohol or a controlled substance
343. Operation of a motorboat or sailboat when a court-ordered suspension is in effect
344. Operation of or riding water skis, aquaplanes, surfboards, innertubes, and similar devices while under the influence of alcohol or a controlled substance
345. Operation of a snowmobile without regard for the safety of persons or property, or, operation of a snowmobile while under the influence of alcohol or a controlled substance
346. Eluding or attempting to elude a Division of Parks and Recreation officer
347. Leaving a fire unattended on lands under the control of the Division of Wildlife

## C.R.S. Citation

- 33-6-130 (1) (\$200 fine and 20 license suspension points)
- 33-12-104 (11) (a) (\$100 to \$1,000 fine, or up to 1 year jail, or both)
- 33-13-108 (3) (\$100 to \$1,000 fine, or up to 1 year jail, or both)
- 33-13-108 (4) (\$100 or \$1,000 fine, or up to 1 year jail, or both)
- 33-13-108.1 (1) (a) (\$100 to \$1,000 fine or 5 (mandatory) to 180 days jail or both and 96 mandatory hours public service)
- 33-13-108.1 (13) (b) (\$100 to \$1,000 fine or up to 1 year jail or both)
- 33-13-108.2 (1) (Mandatory 3 to 180 day jail and \$300 to \$1,000 fine for first offense; Mandatory 90 day to 1 year jail and \$500 to \$3,000 fine for 2nd offense)
- 33-13-110 (3) (b) (\$100 to \$1,000 fine, or up to 1 year jail, or both)
- 33-14-116 (6) (\$100 to \$1,000 fine, or up to 1 year jail, or both)
- 33-15-105 (\$300 fine)
- 33-15-106 (\$100 fine plus fire suppression reimbursement costs upon order of the court)

**Offense****C.R.S. Citation**

348. River Outfitter violation of safety equipment provision of 33-13-106

33-32-107(2)(a) (\$100 fine)

**Offenses Related to Mineral Resources**

349. Failure to securely cover or fence an abandoned mine or removing such cover or fence without permission

34-24-110 (1) (Up to \$300 fine)

350. Trespassing into any mine

34-24-110 (3) (\$50 to \$500 fine, or up to ten days jail, or both)

351. Removing or destroying any covering or fencing placed around or over any abandoned or inactive mine

34-24-111 (\$50 to \$300 fine, or up to six months jail, or both)

352. Entering any active or inactive mine unless accompanied by, or with prior written permission from, the operator of the mine

34-24-112 (3) (\$50 to \$500 fine, or up to ten days jail, or both)

353. Unlawful financial interest in mining operation

34-33-122 (9) (\$2,500 maximum fine, or up to 1 year jail, or both)

354. Threatening employees or owners of mine

34-45-102 (\$250 maximum fine, or 30 days to 6 months jail)

355. Keeping and using false or fraudulent scales or weights for weighing ore

34-53-102 (\$100 to \$1,000 fine, or up to 1 year jail, or both)

356. Altering or changing true value of ore

34-53-103 (\$100 to \$1,000 fine, or up to 1 year jail, or both)

419. Violation of provisions regarding memoranda of ore sales

34-54-106 (\$50 to \$500 fine, or 6 months jail, or both)

420. Making a false entry or statement in regards to reports required by the Oil and Gas Conservation Act

34-60-121 (2) (\$5,000 maximum fine, or 6 months jail, or both)

421. Violation of statute regulating oil wells and boreholes

34-61-108 (\$500 maximum fine, or up to 6 months jail, or both)

**Agriculture — Related Offenses**

422. Failing or refusing to give information to Commissioner of Agriculture as required by the agricultural statistics statute

35-2-104 (\$10 to \$500 fine)

**Offense****C.R.S. Citation**

423. Failure to give information to county assessor as required by the agricultural statistics statute	35-2-105 (\$25 to \$200 fine plus costs of prosecution)
424. Disclosure of confidential reports made to the Commissioner of Agriculture pursuant to the agricultural statistics statute	35-2-106 (\$500 maximum fine plus costs of prosecution, or up to 1 year jail, or both)
425. Violation of anhydrous ammonia statute	35-13-108 (\$100 to \$1,000 fine, or 30 days to 6 months jail)
426. Violation of statute regulating processing of eggs	35-21-107 (1) (\$500 maximum fine)
427. Malfeasance of fruit and vegetable inspector	35-23-110 (\$500 maximum fine, or up to 3 months jail, or both)
428. Violation of statute or interference with the duties of the Commissioner of Agriculture pursuant to the inspection of agricultural products statute	35-23-116 (\$500 maximum fine, or 3 months jail, or both)
429. Violation of Controlled Atmosphere Storage of Apples Act	35-23.5-107 (2) (\$500 maximum fine)
430. Violation of the Colorado Bee Act	35-25-111 (maximum \$100 fine)
431. Violation of Agriculture Marketing Act of 1939	35-28-116 (2) (\$50 to \$500 fine, or 10 days to 6 months jail, or both)
432. Violation of Colorado seal of quality statute	35-29-109 (\$500 maximum fine, or up to 3 months jail, or both)
433. Violation of destruction of food products statute	35-31-104 (\$100 to \$1,000 fine, or 30 days to 1 year jail, or both)
434. Offering, for purpose of obtaining bounty, the scalp of any coyote or wolf that was killed outside of the state	35-40-111 (\$10 to \$50 fine)
435. Brand or cause to be branded any livestock with a brand which has not been recorded with the state	35-43-105 (3) (\$50 to \$500, or 30 days to 1 year jail, or both)
436. Branding of maverick without authorization	35-43-118 (2) (3 months to 1 year jail)
437. Willful injury of a person by driving stock on another's land	35-43-120 (2) (\$25 to \$100 fine)
438. Failing to comply with requirements to brand calves	35-43-129 (4) (\$100 to \$500 fine and up to 90 days jail)
439. Herding or grazing of stock on public domain range not entitled to be herded or grazed thereon	35-45-104 (\$1,000 maximum fine, or up to 6 months jail, or both)

**Offense****C.R.S. Citation**

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| 440. Permitting livestock to graze or run at large in any municipality or public highway if it is separated from the land of such owner by a fence                                      | 35-46-105 (2) (\$10 to \$200 fine)  |
| 441. Taking livestock into custody without compliance with the law  | 35-46-109 (\$10 to \$500 fine, or up to 60 days jail, or both)                  |
| 442. Allowing horses or mules to run at large   | 35-47-103 (\$25 to \$500 fine)  |
| 443. Allowing an inferior bull or inferior ram to run at large  | 35-48-103 (3) (\$100 maximum fine)  |
| 444. Shipping or driving livestock into state without an official health certificate  | 35-50-103 (\$100 to \$1,000 fine, or up to 6 months jail, or both)              |
| 445. Transporting or driving sheep from authorized inspection district, without giving due notice to an authorized inspector  | 35-50-106 (\$300 maximum fine, or up to 3 months jail, or both)                 |
| 446. Moving livestock from a quarantined area in violation of a quarantine order  | 35-50-110 (2) (\$500 to \$2,000 fine, or 90 days to 1 year jail, or both)       |
| 447. Refusing to permit inspection of animals reacting to tuberculin test, or refusing to clean buildings and premises of disease-propagating substances and to disinfect such premises | 35-50-130 (\$100 to \$500, or up to 90 days jail, or both)                      |
| 448. Violation of statutes concerning the control and eradication of brucellosis  | 35-50-145 (\$500 to \$2,000, or up to 90 days jail, or both)                    |
| 449. Unlawful manufacture or sale of animal biological products   | 35-51-102 (\$100 to \$500 fine, or 30 days to 1 year jail, or both)             |
| 450. Violation of any of the provisions of article 52 of title 35 regarding hogs  | 35-52-111 (\$500 maximum fine)  |
| 451. Making a false certificate by a brand inspector pursuant to transportation of livestock statute  | 35-53-103 (\$1,000 maximum fine, or up to 1 year jail, or both)                 |
| 452. Shipping animals other than those described in inspection certificate or substituting others therefor  | 35-53-106 (\$1,000 maximum fine, or up to 1 year jail, or both)                 |
| 453. Violating or disregarding any of the provisions of a proclamation by the Governor prohibiting the importation of livestock into this state or a designated area                    | 35-53-111 (2) (\$300 to \$3,000 fine, or 30 days to 1 year jail, or both)       |
| 454. Violation of any of the provisions of sections 35-53-101 to 35-53-112 regarding shipping animals prior to inspection   | 35-53-112 (1) (\$200 to \$1,000 fine, or up to 90 days to 1 year jail, or both) |

**Offense****C.R.S. Citation**

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| 455. Violation of statutes regarding inspection and transportation of carcasses   | 35-53-120 (\$300 maximum fine, or up to 60 days jail, or both)       |
| 456. Transporting animals without a permit from the owner of such animals, making a false or forged permit, or refusing to exhibit a permit | 35-53-124 (\$300 maximum fine, or up to 3 months jail, or both)      |
| 457. Failing to have cattle inspected on arrival at market before they are taken to the scales for weighing                                 | 35-53-126 (\$100 to \$500 fine)                                      |
| 458. Failure to give or receive a bill of sale for livestock sold   | 35-54-102 (\$25 to \$500 fine, or 30 days to 6 months jail, or both) |
| 459. Operation of a public livestock market without a license   | 35-55-102 (6) (\$25 to \$100 fine)                                   |
| 460. Violation of Inedible Meat Rendering and Processing Act of 1967  | 35-59-112 (\$200 maximum fine, or up to 90 days jail, or both)       |
| 461. Violation of any of the provisions of the Colorado Commercial Feed Law of 1979   | 35-60-112 (1) (\$100 to \$250 fine)                                  |
| 462. Using information which is entitled to protection as trade secrets for personal advantage  | 35-60-112 (6) (\$100 minimum fine, or up to 30 days jail, or both)   |
| 463. Destroying property of fair exhibitor, visitor, or lessee; wrongfully gaining admission to fairgrounds                                 | 35-65-110 (\$5 to \$25 fine, or up to 30 days jail)                  |

**Offenses Related to Natural Resources**

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| 464. Trespassing, committing depredations, or negligently starting fires, or cutting or removing timber from a state forest without authority   | 36-7-201 (7) (\$300 maximum fine, or up to 3 months jail, or both)    |
| 465. Making a false statement in application for weather modification permit, failing to file reports as required, or violating any provision of the Weather Modification Act of 1972 | 36-20-126 (2) (\$5,000 maximum fine, or up to 6 months jail, or both) |

**Offenses Related to Water and Irrigation**

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| 466. Construction of works in a manner harmful to conservancy district | 37-3-106 (2) (\$1,000 maximum fine) |
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**Offense****C.R.S. Citation**

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| 467. Preventing the board of directors of any conservancy district, or their agents, from entering upon lands within the district in order to make surveys and examinations | 37-3-113 (\$50 maximum fine)   |
| 468. Destruction or removal of bench marks, witness marks, stakes, or other reference marks, placed by the surveyors or engineers of a conservancy district                 | 37-7-102 (\$100 maximum fine)  |
| 469. Willful damage to conservancy district works   | 37-7-103 (1) (\$500 maximum fine and costs)                            |
| 470. Refusal to regulate flow of water into canal as required by state engineer   | 37-80-117 (\$100 maximum fine)   |
| 471. False report of water gauge heights  | 37-80-118 (\$500 maximum fine)   |
| 472. Interference with, injuring, or destroying water recording instrument  | 37-80-119 (\$500 maximum fine)   |
| 473. Diverting water into ditch, canal, flume, or reservoir contrary to order of state engineer   | 37-84-112 (2) (\$500 maximum fine)                                     |
| 474. Willfully neglecting or refusing to deliver water, or preventing or interfering with the proper delivery of water to persons having a right thereto                    | 37-84-121 (\$10 to \$100 fine, or up to 1 month jail, or both)         |
| 475. Division engineer's willful neglect in prompt measurement of water necessary for land irrigation   | 37-84-122 (\$10 to \$100 fine, or up to 1 month jail, or both)         |
| 476. Collecting excessive fees or a bonus for delivery of water   | 37-85-109 (\$100 to \$5,000 fine, 3 months to 1 year jail, or both)    |
| 477. Refusal to deliver water which can be lawfully delivered   | 37-85-110 (\$100 to \$5,000 fine, or 3 months to 1 year jail, or both) |
| 478. Interfering with or damaging any state reservoir   | 37-88-107 (\$1,000 maximum fine, or up to 1 year jail, or both)        |
| 479. Cutting or breaking gate, bank, or side of any ditch, canal, flume, or reservoir with intent to injure or to steal the water   | 37-89-101 (\$5 to \$300 fine, or up to 90 days jail)                   |
| 480. Interfering with adjusted headgate   | 37-89-103 (1) (\$300 maximum fine, or up to 60 days jail, or both)     |
| 481. Violation of water well construction and pump installation statute   | 37-91-111 (2) (\$500 maximum fine, or up to 90 days jail, or both)     |

## **Offense**

## **C.R.S. Citation**

### **Offenses Related to Real and Personal Property**

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| 482. Violation of the provisions of subsection (1) of section 38-29-112 regarding the transfer of certificate of title to a manufactured home  | 38-29-112 (2) (\$250 to \$1,000 fine, or 10 days to 6 months jail, or both) |
| 483. Procuring, if a resident of this state, a certificate of title to a manufactured home in any county of the state other than the county in which the home is to be used as a residence | 38-29-120 (\$50 to \$100 fine, or 10 days to 6 months jail, or both)        |
| 484. Violation of the provision of subsection (1) of section 38-29-141 regarding the sale or transfer of a title to a manufactured home  | 38-29-141 (2) (\$100 to \$500 fine, or 10 days to 6 months jail, or both)   |
| 485. Violation of the provisions of section 38-29-142 regarding notification of the repossession of a manufactured home  | 38-29-142 (2) (\$50 to \$100 fine)  |
| 486. Failure to file notice of a change of location with the county assessor and treasurer pursuant to the Titles to Manufactured Homes Act  | 38-29-143 (2) (\$100 to \$1,000 fine)                                       |
| 487. Violation of sections 38-33-106 or 38-33-107 of the Condominium Ownership Act   | 38-33-108 (\$500 maximum fine)  |
| 488. Knowing violation of the provisions of article 51 of title 38 regarding minimum standards for land surveys and plats  | 38-51-110 (2) (\$150 to \$1,500 fine)                                       |

### **Taxation Offenses**

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| 489. Divulging confidential information from tax records   | 39-1-116 (\$100 to \$500 fine, or up to 3 months jail, or both)          |
| 490. Recording of document without collecting documentary fee  | 39-13-105 (\$50 fine)  |
| 491. Failure or refusal to pay documentary fee when such payment is required; willfully and knowingly creating a consideration greater or less than the actual consideration in connection with the granting or conveying of title to real property by any instrument to which the documentary fee applies | 39-13-106 (2) (\$50 to \$500 fine, or 10 days to 3 months jail, or both) |

## **Offense**

## **C.R.S. Citation**

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| 492. Officer or employee of the Department of Revenue divulging information obtained in an investigation; any officer or employee of the Department of Revenue engaging in the business of tax accounting in an effort to defeat or cancel any tax assessed by the state | 39-21-113 (6) (\$1,000 maximum fine, removal from office if an officer or employee of the state) |
| 493. Failure to file a tax return and pay taxes  | 39-21-118 (3) (\$50,000 fine, or up to 1 year jail, or both plus costs of prosecution)           |
| 494. Willfully failing to pay gift tax, make a return, or supply information required by law   | 39-25-113 (2) (\$1,000 maximum fine, or up to 1 year jail, or both)                              |
| 495. Failing to collect or pay sales tax as required   | 39-26-102 (22) (penalty is pursuant to article 26)   |
| 496. Advertising that tax will be assumed or absorbed  | 39-26-108 (\$1,000 maximum fine, 1 year jail, or both)   |
| 497. Retaining excess sales tax  | 39-26-112 (\$1,000 maximum fine, 1 year jail, or both)   |
| 498. Making false statement in connection with application for refund of taxes   | 39-26-114 (2) (d) (\$500 maximum fine, or up to 90 days jail, or both)                           |
| 499. Making a false statement on an invoice or application for gasoline permit or an application for a refund of taxes, or using the gasoline other than as stated in the permit   | 39-27-103 (3) (c) (\$1,000 maximum fine, or up to 1 year jail, or both)                          |
| 500. Acting as distributor of special fuel without a license   | 39-27-204 (1) (a) (\$100 fine)   |
| 501. Failing or refusing to furnish additional bond or continuing to purchase special fuel ex-tax without authorization  | 39-27-204 (5) (b) (\$50 fine)  |
| 502. Violation of requirements pertaining to special fuel permits  | 39-27-205 (3) (d) (\$75 fine)  |

## **Offenses Related to Utilities**

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| 503. Violation of statutes governing common carriers        | 40-9-104 (\$100 to \$1,000 fine)                                  |
| 504. Violation of statutes governing motor vehicle carriers | 40-10-108 (\$1,000 maximum fine, or up to 6 months jail, or both) |

## **Offense**

- 505. Violation of statutes governing contract motor carriers
- 506. Operating an electric or street railroad contrary to statutes
- 507. Violation of statutes regarding the sale of railroad tickets
- 508. Concealing the evidence of the killing or wounding of any animal by a railroad train
- 509. Failing to stop train at railroad crossing as required

## **C.R.S. Citation**

- 40-11-107 (\$1,000 maximum fine, or up to 6 months jail, or both)
- 40-24-111 (\$50 to \$100 fine, or up to 30 days jail)
- 40-26-106 (\$100 to \$500 fine, or 10 days to 60 days jail, or both)
- 40-27-113 (\$200 maximum fine, or up to 30 days jail, or both)
- 40-28-102 (\$50 to \$200 fine)

## **Offenses Related to Aircraft and Airports**

- 510. Violation of Aeronautics Act of 1937
- 511. Operation of an aircraft while under the influence of alcohol or one or more drugs or a combination of alcohol and drugs
- 512. Operation of an aircraft by any person who is an habitual user of any controlled substance
- 513. Operation of an aircraft with excessive alcohol content

- 41-1-108 (\$500 maximum fine, or up to 6 months jail, or both)
- 41-2-102 (1) (a) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both)
- 41-2-102 (1) (b) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both)
- 41-2-102 (2) (a) (\$300 to \$1,000 fine, or five mandatory days to one year jail, or both)

## **Offenses Related to Vehicles and Traffic**

- 514. Use of equipment and supplies furnished for the discharge of duties pursuant to the Uniform Motor Vehicle Law for private or pleasure purposes
- 515. Driving a motor vehicle when license is under restraint for an offense other than an alcohol-related offense
- 516. Driving when license is under restraint for an alcohol-related offense
- 517. Driving a commercial vehicle while not yet 21 years of age or while in possession of more than one valid driver's license

- 42-1-207 (\$300 maximum fine, or up to 6 months jail, or both)
- 42-2-138 (1) (a) (\$50 to \$500 fine at the court's discretion and 5 mandatory days to 6 months jail)
- 42-2-138 (1) (d) (I) (\$500 to \$1,000 fine at the court's discretion and 30 mandatory days to 1 year jail)
- 42-2-404 (3) (\$25 to \$1,000 fine, or up to 1 year jail, or both)

**Offense****C.R.S. Citation**

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| 518. Performing commercial driver's license tests or acting as a commercial driver's license testing unit or tester when not duly licensed pursuant to the Commercial Driver's License Act | 42-2-408 (2) (\$25 to \$1,000 fine, or up to 1 year jail, or both)  |
| 519. Operating an unsafe vehicle   | 42-4-203 (4) (a) (I) (\$100 fine; \$5 fine if repairs made or vehicle is disposed of)   |
| 520. Operating an unsafe vehicle when a non-owner of the vehicle   | 42-4-203 (4) (b) (I) (\$100 fine; \$5 fine if repairs made or vehicle is disposed of)   |
| 521. Installer who violates provisions governing motor vehicles and obstructed windows — prohibited materials  | 42-4-227 (3) (b) (\$500 to \$5,000 fine) (unclassified offense)   |
| 522. Possession of a counterfeit emissions sticker, or issuance of a counterfeit emissions sticker   | 42-4-313 (1) (c) and (2) (b) (\$25 to \$1,000 fine, or up to 90 days jail, or both)   |
| 523. Violation of the provisions of section 42-4-313 regarding emissions stickers  | 42-4-313 (3) (c) (\$15 fine)  |
| 524. Violation of any of the provisions of section 42-4-313 by a nonowner driver   | 42-4-313 (3) (d) (\$15 fine)  |
| 525. Violation of any of the provisions regarding visible emissions from diesel-powered motor vehicles   | 42-4-413 (2) (c) (I) and (2) (d) (I) (\$100 fine)   |
| 526. Operation of a heavy-duty diesel motor vehicle which does not comply with emissions regulations or which does not display a valid inspection sticker                                  | 42-4-414 (3) (a) (\$25 to \$300 fine)   |
| 527. Violation of any rule or regulation establishing standards for the testing or inspection of heavy-duty diesel motor vehicles  | 42-4-414 (3) (b) (\$100 to \$300 fine)  |
| 528. Display of a disability distress flag by any person who is not a paraplegic or a person with a disability   | 42-4-611 (\$100 to \$300 fine, 10-90 days jail or both)   |
| 529. Driving under the influence of alcohol or drugs   | 42-4-1301 (1) (a) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |

**Offense****C.R.S. Citation**

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| 530. Driving while ability impaired by alcohol or drugs   | 42-4-1301 (1) (b) (\$100 to \$500 fine and 2 mandatory days to 180 days jail plus 24 mandatory to 48 hours of public service) |
| 531. Driving a vehicle when an habitual user of a controlled substance  | 42-4-1301 (1) (c) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |
| 532. Driving a vehicle when the amount of alcohol in the blood is 0.10 or more grams per 100 milliliters of blood or 0.10 more grams of alcohol per 210 liters of breath at the time of the alleged offense or within 2 hours after driving | 42-4-1301 (2) (a) (\$300 to \$1,000 fine and 5 mandatory days to 1 year jail plus 48 mandatory to 96 hours of public service) |
| 533. Violation of regulations pertaining to school bus operators  | 42-4-1904 (3) (\$5 to \$100 fine, or up to 1 year jail, or both)  |
| 534. Failure to keep daily dealer records   | 42-5-105 (4) (\$500 maximum fine)   |
| 535. Failure to transfer certificate of title   | 42-6-110 (2) (\$15 to \$500 fine, or 10 days to 60 months jail, or both)  |
| 536. Violation of any of the provisions of section 42-6-137 regarding the registration of a motor vehicle   | 42-6-139 (3) (\$500 fine, or 10 days to 6 months jail, or both)   |
| 537. Sell, transfer, or dispose of a motor vehicle without complying with the requirements of part 1 of article 6 of title 42   | 42-6-142 (2) (\$100 to \$500 fine, or 10 days to 6 months jail, or both)  |
| 538. Failure to comply with the provisions of section 42-6-210 regarding disclosure requirements upon transfer of ownership of a salvage vehicle  | 42-6-206 (4) (\$1,500 maximum fine for a first offense, \$5,000 fine for each subsequent offense)                             |
| 539. Driving while under suspension or revocation   | 42-7-422 (\$50 to \$500 fine and 5 days to 6 months jail)   |
| 540. Forging evidence of ability to respond in damages or submitting false statement evidencing automobile liability policy   | 42-7-505 (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 541. Failure to surrender license when required   | 42-7-506 (1) (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 542. Violation of Motor Vehicle Financial Responsibility Act  | 42-7-507 (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |
| 543. Failure to have insurance or bond for a motor vehicle when required  | 42-7-510 (3) (\$100 to \$1,000 fine, or up to 90 days jail, or both)  |

**Offense****C.R.S. Citation**

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| 544. Violation of Port of Entry Weigh Station  | 42-8-109 (1) (\$50 to \$100 fine)   |
| 545. Failure by motor vehicle repair garage or employee to provide a written or oral estimate or invoice                       | 42-9-112 (\$500 to \$2000 fine per violation)   |
| 546. Violation of any of the prohibited acts regarding repair of a motor vehicle by a repair garage or employee of such garage | 42-9-112 (2) (\$500 to \$2000 fine per violation)   |
| 547. Transportation of hazardous materials without a permit in violation of any of the provisions of 42-20-201                 | 42-20-204 (\$250 fine)  |
| 548. Transportation of hazardous materials by motor vehicle in a manner inconsistent with the authorized route                 | 42-20-305 (2) (\$250 fine for 1st offense; \$250 to \$500 fine for 2nd offense within 1 year) |

**Offenses Related to Highways and Roads**

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| 549. Violation of Outdoor Advertising Act  | 43-1-417 (2) (\$100 to \$1,000 fine)                          |
| 550. Violation of junkyard statute   | 43-1-508 (\$25 to \$100 fine)                                 |
| 551. Collecting toll upon a road when a judgment has been entered against the owners or operators of said road | 43-3-318 (\$100 maximum fine, or up to 90 days jail, or both) |
| 552. Allowing stolen vehicle to be stored  | 43-5-205 (\$100 maximum fine)                                 |
| 553. Obstructing highway   | 43-5-301 (\$10 to \$300 fine)                                 |
| 554. Overflowing highway   | 43-5-303 (\$10 to \$300 fine)                                 |

### SECTION 3 — PETTY OFFENSES

This section contains a current listing of petty offenses. Petty offenses have two categories, class 1 and class 2. The penalty for the commission of a certain petty offense depends on its classification. A *class 1 petty offense* carries no minimum possible penalty, but a maximum possible penalty of *6 months in jail and/or a \$500 fine*. The penalty for a class 2 petty offense is a fine specified in the section defining the offense. Only in very limited circumstances does a class 2 petty offense carry possible jail time.

It is important to note that not all persons convicted of a class 1 petty offense that carries potential jail time actually receive a sentence to the county jail. Many receive a sentence to probation. Offenders convicted of a class 1 petty offense are entitled to apply for probation whereas those convicted of a class 2 petty offense are *not*.

The crimes in this listing are grouped according to the statutory title in which they appear. In addition, those crimes that appear in title 18 are further designated by their article. For example, crimes in title 18, article 4 are identified as "Offenses Against Property". Title 18 crimes are listed first in each category, the other offenses are organized sequentially by numerical title.

All listings are current through 1996 session laws.



## CLASS 1 PETTY OFFENSES

<u>Offense</u>	<u>C.R.S. Citation</u>
<b>Offenses Against Property</b>	
1. Third degree criminal trespass	18-4-504 (2)
2. Defacing posted property	18-4-510
<b>Offenses Involving Fraud</b>	
3. False statements as to circulation	18-5-304
4. Unauthorized use of a financial transaction device when the value is less than one hundred dollars	18-5-702 (3) (a)
<b>Offenses Relating to Morals</b>	
5. Patronizing a prostitute	18-7-205 (2)
6. Prostitute making a display	18-7-207
7. Pubic indecency	18-7-301 (2)
<b>Offenses — Governmental Operations</b>	
8. Accessory to a crime if the crime is designated as a misdemeanor	18-8-105 (6)
9. Refusal to permit inspections	18-8-106 (1)
10. Refusing to aid a peace officer	18-8-107
11. Inducing prisoners to absent themselves	18-8-202
12. Aiding escape from civil process	18-8-205
13. Escape from custody or confinement while being held for or charged with but not convicted of a misdemeanor or petty offense	18-8-208 (5)
14. Second degree criminal misconduct	18-8-405 (2)
15. Designation of insurer by a public servant	18-8-408 (2)
16. False swearing	18-8-504 (2)
<b>Offenses Against Public Peace, Order and Decency</b>	
17. Disorderly conduct in violation of 18-9-106 (1) (a)- (c)	18-9-106 (3)



<u>Offense</u>	<u>C.R.S. Citation</u>
18. Loitering	18-9-112 (2)
19. Throwing missiles at vehicles	18-9-116
20. Bringing alcoholic beverages, bottles, or cans into the major league baseball stadium	18-9-123 (3)
21. Refusal to yield party line	18-9-307 (2)
22. Requesting the use of a party line on the pretext that an emergency exists, knowing that no emergency exists	18-9-307 (3)
23. Failure by a person, firm, or corporation providing telephone directories to provide notice of the party line requirements in 18-9-307	18-9-308
24. Automated dialing systems prohibited	18-9-311
<b>Gambling</b>	
25. Gambling	18-10-103 (1)
<b>Offenses Involving Disloyalty</b>	
26. Display of a flag on any state, county, municipal or other public building or adjacent grounds other than the flag of the United States of America or of the state of Colorado or any of its subdivisions, agencies or institutions	18-11-205 (1)
27. Display of a flag other than the flag of the United States of America or of the state of Colorado or any of its subdivisions, agencies or institutions in a place likely to cause a breach of the peace	18-11-205 (2)
<b>Miscellaneous Offenses</b>	
28. Fighting by agreement— dueling	18-13-104 (1)
29. Unlawful to discard or abandon iceboxes or motor vehicles and similar items	18-13-106
30. Use of a cane or walking stick which is white or white tipped with red or metallic in color or a leash blaze orange in color on any accompanying dog in a public place by a person who is not wholly or partially blind, or wholly or partially deaf or both	18-13-107 (1)
31. Abuse of health insurance	18-13-119 (4)

**Offense****C.R.S. Citation****Hotel Facility Rates: Posting - Notice**

- |   |           |
|---|-----------|
| 32. Violation by any owner, agent, lessee, or manager of any hotel facility of Section 18-14-102, (Accommodations and rates posted) or Section 18-14-103, (Advertising prohibited - when) | 18-14-104 |
|---|-----------|

**Uniform Controlled Substances Act of 1992**

- |  |           |
|--|-----------|
| 33. Abusing toxic vapors   | 18-18-412 |
| 34. Possession of prescribed controlled substances in a container other than that in which it was dispensed and unable to show legal ownership | 18-18-413 |

**Class One Petty Offenses, Not in the Criminal Code**

- |   |               |
|---|---------------|
| 35. Violation of the Individual Sewage Disposal Systems Act   | 25-10-112     |
| 36. Violation of cattle in feedlots   | 35-43-130 (2) |
| 37. Failure to surrender Colorado certificate of title by an owner of a manufactured home upon the destruction or dismantling of such home  | 38-29-118 (1) |
| 38. Perjury on a motor vehicle registration application   | 42-3-140      |
| 39. Violation of Duties of dealers - assembled motor vehicles   | 42-5-106      |
| 40. Failure to surrender Colorado certificate of title by an owner of any motor vehicle upon the destruction or dismantling of such vehicle | 42-6-136 (1)  |



## CLASS 2 PETTY OFFENSES

### Offense

### C.R.S. Citation

#### **Offenses Against Property**

- |   |   |
|---|---|
| 1. Theft by resale of a lift ticket or coupon | 18-4-416 (maximum \$300 fine)   |
| 2. Littering                                  | 18-4-511 (4) (mandatory \$20 - \$500 fine, 1st conviction, \$50-\$1,000 2nd conviction, \$100 - \$1,000 3rd conviction) |

#### **Miscellaneous Offenses**

- |  |  |
|--|--|
| 3. Sell of a metal beverage container with a detachable opening device   | 18-13-113 (4) ( \$50 - \$100 fine)     |
| 4. Furnishing cigarettes or tobacco products to minors   | 18-13-121 (1) (\$200 fine)             |
| 5. Failure to display warning sign stating that it is illegal for any person under the age of eighteen to purchase cigarettes and tobacco products | 18-13-121 (4) (b) (\$200 fine)         |
| 6. Possession or consumption of ethyl alcohol by a person under twenty-one years of age  | 18-13-122 (2) (b) (maximum \$100 fine) |

#### **Uniform Controlled Substances Act of 1992**

- |   |  |
|---|--|
| 7. Possession of not more than one ounce of marihuana                                   | 18-18-406 (1) (maximum \$100 fine)                       |
| 8. Open and public display, consumption, or use of not more than one ounce of marihuana | 18-18-406 (3) (a) (I) (maximum \$100 fine/ 15 days jail) |
| 9. Possession of drug paraphernalia   | 18-18-428 (2) (maximum \$100 fine)                       |

### **Class 2 Petty Offenses, Not in the Criminal Code**

#### **Consumer and Commercial Affairs Offenses**

- |  |                                  |
|--|----------------------------------|
| 10. Prohibited collection on unsolicited goods | 6-6-103 (3) (maximum \$200 fine) |
|--|----------------------------------|

#### **Offenses Related to Professions and Occupations**

- |   |  |
|---|--|
| 11. Failure by a physician to report to the police a wound inflicted by a firearm, knife or sharp instrument believed to have occurred during the course of a crime | 12-36-135 (1) (maximum \$300 fine, 90 days jail or both) |
|---|--|



**Offense****C.R.S. Citation**

- |  |  |
|--|--|
| 12. Violation of the "Colorado Beer Code"                            | 12-46-114 (1), (3), & (4) (maximum \$250 fine) |
| 13. Violation of the "Colorado Liquor Code"                          | 12-47-130 (1) (a) (maximum \$250 fine)         |
| 14. Underage wagering  | 12-60-601 (3) (maximum \$100 fine)             |
| 15. Violation of rules promulgated by the Colorado racing commission | 12-60-801 (2) (maximum \$100 fine)             |

**Children's Code Offenses**

- |   |                                       |
|---|---------------------------------------|
| 16. Failure to maintain the confidentiality of child abuse reports  | 19-1-307 (1) (c) (maximum \$100 fine) |
| 17. Failure by a confidential intermediary to keep information obtained during an investigation confidential; failure for a confidential intermediary to obtain consent from a sought-after biological relative and the person who initiated a search that the two want to communicate with one another | 19-5-304 (6) maximum \$500 fine)      |

**Offenses Related to State Government**

- |   |                                    |
|---|------------------------------------|
| 18. Violation of the privacy of user records by a publicly-supported library or library system official, employee, or volunteer | 24-90-119 (3) (maximum \$300 fine) |
|---|------------------------------------|

**Health — Related Offenses**

- |   |                                     |
|---|-------------------------------------|
| 19. Unauthorized use of information in the voluntary adoption registry  | 25-2-113.5 (8) (maximum \$500 fine) |
| 20. Failure of an attending physician, health care provider, laboratory or person providing laboratory tests to report to the department of public health on every individual known to have a diagnosis of AIDS, HIV-related illness, or HIV infection, including death from HIV infection. | 25-4-1409 (1) (maximum \$300 fine)  |



**Offense****C.R.S. Citation****Human Services Code Offenses**

- |   |   |
|---|---|
| 21. Failure to keep confidential, the reports of mistreatment or self-neglect of an at-risk adult | 26-3.1-102 (7) (c) (maximum \$300 fine) |
|---|---|

**Offenses Related to Local Governments**

- |   |                                   |
|---|-----------------------------------|
| 22. Violation of any county rule/regulation regarding the use of public recreation lands and facilities | 29-7-101 (2) (maximum \$300 fine) |
|---|-----------------------------------|

**Offenses Related to County Governments**

- |   |   |
|---|---|
| 23. Violation of a county resolution adopted pursuant to pet animal control and licensing not involving bodily injury | 30-15-102 (1) (maximum \$300 fine/90 days jail or both) |
| 24. Leaving a campfire unattended   | 30-15-201 (1) (\$50 fine)                               |
| 25. Violation of a county ordinance adopted for control or licensing of those matters of purely local concern         | 30-15-402 (1) (maximum \$600 fine for each violation)   |

**Offenses Related to Wildlife, Parks, and Outdoor Recreation**

- |  |  |
|--|--|
| 26. Intentional interference with lawful activities of hunting, trapping, and fishing  | 33-6-115.5 (3) (maximum \$500 fine and 20 license suspension points) |
| 27. Operation of a motorized vehicle on a designated nonmotorized trail  | 33-11-112 (\$25 fine)  |
| 28. Unauthorized transfer, sale, or assignment of a pass or registration issued under articles 10 to 15 of Parks and Outdoor Recreation          | 33-12-105 (1) (\$100 fine)   |
| 29. Making a false statement, giving false information in connection with selling or purchasing a pass or registration or any alteration of same | 33-12-105 (2) (\$100 fine and voiding of pass or registration)       |
| 30. Failure to obtain or make readily available to a parks and recreation or peace officer, a valid pass or registration                         | 33-12-105 (3) (\$25 fine)  |
| 31. Failure to pay a special district toll for access road maintenance   | 33-12-107 (2) (\$25 fine)  |



**Offense****C.R.S. Citation**

- |  |                               |
|--|-------------------------------|
| 32. Operation of a vessel on the waters of the state without a registration issued by the division of wildlife, or failure to produce registration upon demand of division of wildlife officer   | 33-13-103 (4) (\$25 fine)     |
| 33. Failure to display a vessel number   | 33-13-104 (1) (\$10 fine)     |
| 34. Failure to have vessel registration on board and available for inspection  | 33-13-104 (2) (\$25 fine)     |
| 35. Failure to have required equipment on board a vessel operated on the water of the state  | 33-13-106 (2) (\$25 fine)     |
| 36. Owner or operator of a vessel livery permitting a vessel to depart from his/her premises not being equipped or registered as required by article 13 of Title 33  | 33-13-107 (2) (\$50 fine)     |
| 37. Operating or giving permission for operation of a vessel in violation of the prohibited vessel operations of section 33-13-108 (1) (a)   | 33-13-108 (1) (b) (\$25 fine) |
| 38. Careless operation of a vessel   | 33-13-108 (2) (\$50 fine)     |
| 39. Failure to give aid, or name and information to others when involved in a collision, accident, or other casualty of a vessel, or failure to report same, as provided in the rules and regulations of the board of parks and outdoor recreation               | 33-13-109 (6) (\$25 fine)     |
| 40. Operation or manipulation of a vessel, towrope, or other device in a careless or imprudent manner or in such a way as to cause persons using water skis, an aquaplane, surfboard, innertube or other similar device to collide with another person or object | 33-13-110 (1) (c) (\$50 fine) |
| 41. Operation of water skis, an aquaplane, a surfboard, an innertube, or any similar device without a personal flotation device  | 33-13-110 (2) (d) (\$25 fine) |
| 42. Failure to obey an order regarding the closure of waters by the board of parks and outdoor recreation  | 33-13-111 (3) (\$50 fine)     |
| 43. Failure of a snowmobile dealer to require a purchases of a snowmobile to complete a registration application and pay the registration fee  | 33-14-102 (2) (a) (\$50 fine) |
| 44. Operation of a snowmobile without a current registration   | 33-14-102 (9) (\$35 fine)     |



<u>Offense</u>	<u>C.R.S. Citation</u>
45. Failure to display an assigned registration number on a snowmobile	33-14-104 (8) (a) (\$10 fine)
46. Failure to show proof of registration of a snowmobile on demand	33-14-108 (8) (b) (\$25 fine)
47. Violation of restrictions on minor operators of snowmobiles	33-14-109 (3) (\$25 fine)
48. Violation of snowmobile operation on right-of-way of streets, roads, or highways	33-14-111 (3) (\$15 fine)
49. Violation of statute regarding crossing roads, highways, and railroad tracks by snowmobile	33-14-112 (3) (\$25 fine)
50. Operation of a snowmobile on private property without prior permission from the owner, lessee, or agent	33-14-113 (\$50 fine)
51. Operation of a snowmobile on a public street or highway without proper equipment	33-14-114 (3) (\$25 fine)
52. Failure to report a snowmobile accident to law enforcement	33-14-115 (4) (\$25 fine)
53. Operation of a snowmobile in a careless or imprudent manner	33-14-116 (5) (\$50 fine)
54. Owner of a snowmobile permitting it to be operated in violation of article 14 of title 33	33-14-116 (7) (\$25 fine)
55. Hunting wildlife from a snowmobile; operating or riding a snowmobile while in possession of a firearm or bow unless same is properly stored and secured; pursuing, driving , or otherwise intentionally disturbing or harassing any wildlife by use of a snowmobile unless protecting crops or other property	33-14-117 (3) (\$20 fine)
56. Operation of an off-highway vehicle in violation of section 33-14.5-102, C.R.S. regarding off-highway vehicle registration - fees - applications - requirements - exemptions.	33-14.5-102 (7) (\$35 fine)
57. Failure by an off-highway vehicle dealer to require a purchaser to complete a registration application and pay the registration fee before the off-highway vehicle leaves the dealer's premises	33-14.5-102 (8) (\$50 fine)



**Offense****C.R.S. Citation**

- |  |                                    |
|--|------------------------------------|
| 58. Failure to display the number assigned to an off-highway vehicle or failure to show proof of registration to a peace officer upon demand   | 33-14.5-104 (7) (\$25 fine)        |
| 59. Violation of off-highway vehicle operation on streets, roads, and highways   | 33-14.5-108 (2) (\$25 fine)        |
| 60. Operation of an off-highway vehicle without proper equipment   | 33-14.5-109 (2) (\$25 fine)        |
| 61. Failure to obtain and or display an off-highway use permit   | 33-14.5-112 (6) (\$25 fine)        |
| 62. Failure to notify law enforcement of an accident involving an off-highway vehicle  | 33-14.5-113 (4) (\$25 fine)        |
| 63. Refusal to allow an officer having authority to enforce the provisions of articles 10 to 15 and 32 of title 33, to make use of a motor vehicle or other means of transportation when the public health, safety, welfare, or necessity requires | 33-15-101 (2) (\$50 fine)          |
| 64. Violation of the provisions of articles 10 to 15 of title 33 or any rule or regulation of the Board of Parks and Outdoor Recreation that does not have a specific penalty listed*  | 33-15-102 (1) (\$25 fine)          |
| 65. Leaving a fire unattended or failing to thoroughly extinguish a fire before leaving it on any property under the control of the division of wildlife   | 33-15-106 (2) (\$50 fine)          |
| 66. Unlawful camping   | 33-15-107 (\$25 fine)              |
| 67. Violation of statutes regarding the operation of vehicles and vessels on state property  | 33-15-110 (2) (\$25 fine)          |
| 68. Operation of a vehicle on property under the control of the division of wildlife in a careless or imprudent manner   | 33-15-112 (\$50 fine)              |
| 69. Skiing on a ski slope or trail posted as "Closed"; skiing while ability impaired or under the influence of alcohol or a controlled substance; skier leaving the vicinity of a collision with another skier or person in which                  | 33-44-109 (2) (maximum \$300 fine) |



**Offense****C.R.S. Citation**

injuries are involved, without giving name and current address to an employee of the ski area; or knowingly entering upon public or private lands adjoining a ski area when such land has been closed by its owner and so posted

33-44-109 (2) (maximum \$300 fine  
(Continued)

70. Violation of the pest control act, except for sections 35-4-107 and 35-4-110.5

35-4-114 (maximum \$500 fine)

**Offenses Related to Water and Irrigation**

71. Person or corporation preventing the board of directors of the Rio Grande Water Conservation District or its employees or agents, from having access land to make surveys and examinations

37-48-131 (maximum \$50 fine)

**Taxation Offenses**

72. Seller of a mobile home knowingly failing to provide an itemized list of household furnishings which are included in the selling price of the mobile home at the time of the sale

39-5-203 (3) (b) (\$200 fine)

**Offenses Related to Vehicles and Traffic**

73. Air pollution violations, motor vehicle
74. Owner of a manufactured home moving the home without being the holder of a paid ad valorem tax certificate and a transportable manufactured home permit
75. Parking an unauthorized motor vehicle on private property in any area designated and marked for authorized vehicles

42-4-412 (1) (a) (\$25 fine)

42-4-510 (12) (b) (\$200 fine)

42-4-1210 (3) (\$25 fine)

**Offenses Related to Highways and Roads**

76. Violation of auto and tourist camps, hotels and motels (Section 43-5-201 et.seq.)

43-5-207 (maximum \$100 fine)

## **SECTION 4 — UNCLASSIFIED OFFENSES**

**This section contains a current listing of offenses for which there is a penalty but no classification. The penalty is designated within the statute describing the offense.**

**All listings are current through 1996 session laws.**

## UNCLASSIFIED OFFENSES

### Offense

### C.R.S. Citation

#### **Election Code Offenses**

- |   |   |
|---|---|
| 1. Offenses related to mail ballots     | 1-13-112 (\$5,000 maximum fine, or up to 18 months jail, or both) |
| 2. Personating elector                  | 1-13-705 (\$5,000 maximum fine, or up to 18 months jail, or both) |
| 3. Knowingly voting in wrong precinct   | 1-13-709 (\$5,000 maximum fine, or up to 18 months jail, or both) |
| 4. Voting twice                         | 1-13-710 (\$5,000 maximum fine, or up to 18 months jail, or both) |
| 5. Offenses relating to absentee voting | 1-13-803 (\$5,000 maximum fine, or up to 18 months jail, or both) |

#### **Insurance Related Offenses**

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| 6. Illegal payment of dividends | 10-3-204 (2) (\$1,000 maximum fine) |
|---------------------------------|-------------------------------------|

#### **Health -Related Offenses**

- |  |   |
|--|---|
| 7. Violation of Mattresses and Bedding statute | 25-5-316 (civil penalty of up to \$1,000) |
|--|---|

#### **Offenses Related to Municipal Governments**

- |   |  |
|---|--|
| 8. Voting more than once or offering more than one ballot   | 31-10-1519 ((\$5,000 maximum fine, or up to 18 months jail, or both) |
| 9. Fraudulently voting in any precinct not of residence   | 31-10-1520 (\$5,000 maximum fine, or up to 18 months jail, or both)  |
| 10. Falsely personating any registered elector  | 31-10-1529 (\$5,000 maximum fine, or up to 18 months jail, or both)  |
| 11. Knowingly violating the provisions of article 10 of title 31 relative to the casting of absent voters' ballots or aiding in connection with any fraudulent absentee ballot to be cast | 31-10-1537 (\$5,000 maximum fine, or up to 18 months jail, or both)  |

**Offense****C.R.S. Citation****Traffic Offenses**

- |   |  |
|---|--|
| 12. Violation of any of the provisions regarding motor vehicles and obstructed windows - prohibited materials - windshield wiper requirements | 42-4-227(3)(a) (\$50 fine)               |
| 13. Installer who violates provisions governing motor vehicles and obstructed windows - prohibited materials                                  | 42-4-227 (3) (b) (\$500 to \$5,000 fine) |

## **SECTION 5 — TRAFFIC INFRACTIONS**

This section contains a current listing of traffic infractions. Traffic infractions have two categories, class A and class B. The penalty range for the commission of a class A or class B traffic infraction is a \$15 to \$100 fine. In addition, certain traffic infractions may carry the assessment of points against a driver's license pursuant to Section 42-2-127, C.R.S.

All listings are current through 1996 session laws.



## TRAFFIC INFRACTIONS

<u>Offense</u>	<u>C.R.S. Citation</u>
1. Driving a motor vehicle with an expired license, driving or operating a motor vehicle without a valid license in immediate possession	42-2-101 (10) (class B traffic infraction)
2. Violation of special restrictions on certain drivers	42-2-105 (3) (class A traffic infraction)
3. Violation of provisions regarding instruction permits and temporary licenses	42-2-106 (3) (class A traffic infraction)
4. Violation of any of the provisions regarding restricted licenses	42-2-116 (6) (class A traffic infraction)
5. Failure to notify the Department of Revenue, within ten days, of a change in address or name by marriage after applying for or receiving a driver's license or motor registration number	42-2-119 (3) (class B traffic infraction)
6. Permitting an unauthorized minor to drive	42-2-139 (2) (class B traffic infraction)
7. Permitting an unauthorized person to drive	42-2-140 (2) (class B traffic infraction)
8. Violation of any provision of part 1 of article 2 of title 42 for which no other penalty is specified	42-2-142 (class B traffic infraction)
9. Failure to register a motor vehicle, trailer, or semi trailer within 45 days of purchase	42-3-103 (1) (class B traffic infraction)
10. Failure to register vehicle in Colorado within thirty days of becoming a resident of Colorado	42-3-103 (4) (a) (class B traffic infraction)
11. Violation of the provisions of section 42-3-113 (3) regarding the placement of number plates to a motor vehicle other than a motorcycle	42-3-123 (3) (class B traffic infraction)
12. Violation of the provisions regarding the expiration of temporary, new, and old license plates, and reflectorized plates	42-3-124 (1) (a) (class B traffic infraction)
13. Use of a temporary vehicle registration tag after the expiration of the period for which it was issued	42-3-124 (3) (a) (class B traffic infraction)
14. Operation of a vehicle which is not registered; lending registration card to another vehicle	42-3-133 (2) (a) (class B traffic infraction)
15. Permit the use of any noncommercial or recreational vehicle to transport cargo or passengers for profit or hire in any business or commercial enterprise	42-3-133 (2) (c) (class B traffic infraction)

**Offense****C.R.S. Citation**

- |  |  |
|--|--|
| 16. Violation of any provision of article 3 of title 42 for which no other penalty is provided in said article                     | 42-3-142 (class B traffic infraction)      |
| 17. Violation of any of the provisions regarding who may restrict the right to use highways  | 42-4-106 (8) (class B traffic infraction)  |
| 18. Violation of any of the provisions regarding bicycles, motorized bicycles, animals, skis, skates, and toy vehicles on highways | 42-4-109 (13) (class B traffic infraction) |
| 19. Violation of any of the provisions regarding obstruction of view or driving mechanism  | 42-4-201 (8) (class A traffic infraction)  |
| 20. Violation of any of the provisions regarding unsafe vehicles - identification plates   | 42-4-202 (5) (class A traffic infraction)  |
| 21. Violation of any of the provisions regarding lighted lamps required for a vehicle  | 42-4-204 (4) (class A traffic infraction)  |
| 22. Violation of any of the provisions regarding headlamps on vehicles   | 42-4-205 (4) (class B traffic infraction)  |
| 23. Violation of any of the provisions regarding tail lamps and reflectors on vehicles   | 42-4-206 (7) (class B traffic infraction)  |
| 24. Violation of any of the provisions regarding vehicle clearance and identification  | 42-4-207 (6) (class B traffic infraction)  |
| 25. Violation of any of the provisions regarding vehicle stop lamps and turn signals   | 42-4-208 (4) (class B traffic infraction)  |
| 26. Violation of the provision regarding vehicle lamp or flag on a projecting load   | 42-4-209 (class A traffic infraction)      |
| 27. Violation of any of the provisions regarding lamps on parked vehicles  | 42-4-210 (4) (class B traffic infraction)  |
| 28. Violation of any of the provisions regarding lamps on farm equipment and other vehicles and equipment                          | 42-4-211 (8) (class B traffic infraction)  |
| 29. Violation of any of the provisions regarding vehicle spot lamps and auxiliary lamps  | 42-4-212 (5) (class B traffic infraction)  |
| 30. Violation of any of the provisions regarding audible and visual signals on emergency vehicles                                  | 42-4-213 (6) (class A traffic infraction)  |
| 31. Violation of any of the provisions regarding visual signals on service vehicles  | 42-4-214 (6) (class B traffic infraction)  |
| 32. Violation of any of the provisions regarding signal lamps and devices - additional lighting equipment                          | 42-4-215 (9) (class B traffic infraction)  |



Offense

C.R.S. Citation

- |     |  |                  |                              |
|-----|--|------------------|------------------------------|
| 33. | Violation of any of the provisions regarding multiple-beam road lights   | 42-4-216 (3)     | (class B traffic infraction) |
| 34. | Violation of any of the provisions regarding use of multiple-beam lights   | 42-4-217 (2)     | (class A traffic infraction) |
| 35. | Violation of any of the provisions regarding single-beam road-lighting equipment   | 42-4-218 (2)     | (class B traffic infraction) |
| 36. | Violation of the provision regarding the number of lamps permitted on a motor vehicle  | 42-4-219         | (class B traffic infraction) |
| 37. | Violation of any of the provisions regarding bicycles - motorized bicycles - motor-driven cycles - lighting equipment - department control - use and operation | 42-4-220 (14)    | (class B traffic infraction) |
| 38. | Violation of the provisions regarding bicycle equipment  | 42-4-221 (9)     | (class B traffic infraction) |
| 39. | Wrongful use of lights or signals by volunteer fire departments  | 42-4-222 (1)     | (class B traffic infraction) |
| 40. | Wrongful use of lights or signals by volunteer ambulance services  | 42-4-222 (2) (d) | (class B traffic infraction) |
| 41. | Violation of any of the provisions regarding motor vehicle brake equipment   | 42-4-223 (3)     | (class A traffic infraction) |
| 42. | Violation of any of the provisions regarding horns or warning devices  | 42-4-224 (6)     | (class B traffic infraction) |
| 43. | Violation of any of the provisions regarding motor vehicle mufflers - prevention of noise  | 42-4-225 (3)     | (class B traffic infraction) |
| 44. | Violation of any of the provisions regarding exterior placement of mirrors on motor vehicles   | 42-4-226 (3)     | (class B traffic infraction) |
| 45. | Violation of provisions regarding tinted windows and windshield wipers   | 42-4-227 (3) (a) | (class B traffic infraction) |
| 46. | Violation of any of the provisions of subsections 42-4-225 (1), (2), (3), (5), or (6) regarding restrictions on motor vehicle tire equipment                   | 42-4-228 (8) (a) | (class A traffic infraction) |
| 47. | Violation of any of the provisions regarding safety glazing material in motor vehicles   | 42-4-229 (5)     | (class B traffic infraction) |
| 48. | Violation of any of the provisions regarding who must carry motor vehicle emergency lighting equipment   | 42-4-230 (5)     | (class B traffic infraction) |



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| 49. Violation of the provision regarding motor vehicle parking lights   | 42-4-231 (class B traffic infraction)     |
| 50. Violation of any of the provisions regarding minimum safety standards for motorcycles and motor-driven cycles                 | 42-4-232 (4) (class A traffic infraction) |
| 51. Violation of any of the provisions regarding slow-moving vehicles - display of emblem   | 42-4-234 (4) (class B traffic infraction) |
| 52. Violation of any of the provisions regarding child restraint systems required for motor vehicles                              | 42-4-236 (7) (class B traffic infraction) |
| 53. Operation of a motor vehicle while not wearing a safety belt or while any passenger is not wearing a safety belt              | 42-4-237 (4) (class B traffic infraction) |
| 54. Violation of any of the provisions of section 42-4-314 regarding tampering with automobile air pollution control systems      | 42-4-314 (3) (class A traffic infraction) |
| 55. Violation of any of the provisions regarding the width of vehicles  | 42-4-502 (6) (class B traffic infraction) |
| 56. Violation of the provisions regarding projecting loads on passenger vehicles  | 42-4-503 (class B traffic infraction)     |
| 57. Violation of any of the provisions regarding the height and length of vehicles  | 42-4-504 (7) (class B traffic infraction) |
| 58. Violation of any of the provisions regarding longer vehicle combinations  | 42-4-505 (5) (class B traffic infraction) |
| 59. Violation of any of the provisions regarding trailers and towed vehicles  | 42-4-506 (4) (class B traffic infraction) |
| 60. Violation of any of the provisions regarding the liability for damage to highways   | 42-4-512 (3) (class A traffic infraction) |
| 61. Violation of any of the provisions regarding obedience to official traffic control devices                                    | 42-4-603 (5) (class A traffic infraction) |
| 62. Violation of any of the provisions regarding traffic control signal legends   | 42-4-604 (2) (class A traffic infraction) |
| 63. Violation of any of the provisions regarding flashing signals   | 42-4-605 (3) (class A traffic infraction) |
| 64. Violation of any of the provisions regarding the display of unauthorized signs or devices upon or in view of a public highway | 42-4-606 (3) (class A traffic infraction) |

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| 65. Interference with any official traffic control device or any railroad sign or signal                                       | 42-4-607 (class B traffic infraction)     |
| 66. Violation of any of the provisions regarding signals by hand or signal device  | 42-4-608 (3) (class A traffic infraction) |
| 67. Violation of any of the provisions regarding the method of giving hand and arm signals                                     | 42-4-609 (2) (class A traffic infraction) |
| 68. Violation of the provision regarding the displaying of any unauthorized insignia on a motor vehicle                        | 42-4-610 (class B traffic infraction)     |
| 69. Violation of any of the provisions regarding inoperative or malfunctioning traffic signals                                 | 42-4-612 (3) (class A traffic infraction) |
| 70. Violation of any of the provisions regarding vehicles approaching or entering an intersection                              | 42-4-701 (3) (class A traffic infraction) |
| 71. Violation of the provision regarding vehicles turning left   | 42-4-702 (class A traffic infraction)     |
| 72. Violation of any of the provisions regarding entering a highway through a stop or yield intersection                       | 42-4-703 (5) (class A traffic infraction) |
| 73. Violation of the provision regarding entering a roadway from any place other than another roadway                          | 42-4-704 (class A traffic infraction)     |
| 74. Failure to yield the right-of-way upon approach of an emergency vehicle  | 42-4-705 (class A traffic infraction)     |
| 75. Violation of any of the provisions regarding obedience to railroad signals   | 42-4-706 (3) (class A traffic infraction) |
| 76. Failure to stop a railroad grade crossing  | 42-4-707 (6) (class A traffic infraction) |
| 77. Violation of any of the provisions regarding moving heavy equipment at railroad grade crossings                            | 42-4-708 (6) (class B traffic infraction) |
| 78. Violation of the provision regarding a required stop when traffic is obstructed  | 42-4-709 (class A traffic infraction)     |
| 79. Violation of any of the provisions regarding emergence of a motor vehicle from or entering an alley, driveway, or building | 42-4-710 (4) (class A traffic infraction) |
| 80. Violation of the provisions regarding driving on mountain highways   | 42-4-711 (3) (class A traffic infraction) |
| 81. Violation of any of the provisions regarding driving in a highway work area  | 42-4-712 (3) (class A traffic infraction) |



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| 82. Violation of any of the provisions regarding pedestrian obedience to traffic control devices and traffic regulations | 42-4-801 (4) (class B traffic infraction)                    |
| 83. Violation of any of the provisions regarding pedestrians' right-of-way in crosswalks                                 | 42-4-802 (6) (class A traffic infraction)                    |
| 84. Violation of any of the provisions regarding pedestrian crossing at other than crosswalks                            | 42-4-803 (5) (class B traffic infraction)                    |
| 85. Violation of the provision requiring pedestrians to use the right half of a crosswalk                                | 42-4-804 (class B traffic infraction)                        |
| 86. Violation of any of the provisions regarding pedestrians upon highways   | 42-4-805 (9) (class B traffic infraction)                    |
| 87. Violation of the provision prohibiting driving through a safety zone   | 42-4-806 (class A traffic infraction)                        |
| 88. Violation of the provision requiring drivers to exercise due care  | 42-4-807 (class A traffic infraction)                        |
| 89. Failure of drivers and pedestrians to yield to handicapped person  | 42-4-808 (1) (\$15 to 100 fine) (class A traffic infraction) |
| 90. Violation of any of the provisions regarding required position and method of turning a motor vehicle                 | 42-4-901 (3) (class A traffic infraction)                    |
| 91. Violation of any of the provisions regarding limitations on turning a motor vehicle around                           | 42-4-902 (4) (class A traffic infraction)                    |
| 92. Violation of any of the provisions regarding required signals for turning movements                                  | 42-4-903 (5) (class A traffic infraction)                    |
| 93. Violation of any of the provisions making exceptions to the requirement that vehicles drive on the right side        | 42-4-1001 (4) (class A traffic infraction)                   |
| 94. Violation of the requirements for passing oncoming vehicles  | 42-4-1002 (class A traffic infraction)                       |
| 95. Violation of the provisions regarding overtaking a vehicle on the left   | 42-4-1003 (2) (class A traffic infraction)                   |
| 96. Violation of the provisions regarding overtaking a vehicle on the right  | 42-4-1004 (3) (class A traffic infraction)                   |
| 97. Violation of the provisions limiting overtaking on the left  | 42-4-1005 (5) (class A traffic infraction)                   |

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| 98. Violation of any of the provisions regarding one-way roadways and rotary traffic islands           | 42-4-1006 (4) (class A traffic infraction)  |
| 99. Violation of any of the provisions regarding driving on roadways laned for traffic                 | 42-4-1007 (2) (class A traffic infraction)  |
| 100. Following too closely in any motor vehicle  | 42-4-1008 (4) (class A traffic infraction)  |
| 101. Violation of the provisions prohibiting coasting upon a downgrade                                 | 42-4-1009 (3) (class A traffic infraction)  |
| 102. Violation of any of the provisions regarding driving on divided or controlled-access highways     | 42-4-1010 (4) (class A traffic infraction)  |
| 103. Violation of any of the provisions regarding the use of runaway vehicle ramps                     | 42-4-1011 (3) (class A traffic infraction)  |
| 104. Use of a high occupancy vehicle lane in violation of imposed restrictions                         | 42-4-1012 (3) (class A traffic infraction)  |
| 105. Violation of any of the provisions regarding driving in excess of the maximum posted speed limit  | 42-4-1101 (12) (class A traffic infraction) |
| 106. Violation of any of the provisions regarding minimum speed regulations                            | 42-4-1103 (5) (class A traffic infraction)  |
| 107. Violation of any of the provisions regarding speed limits on elevated structures                  | 42-4-1104 (4) (class A traffic infraction)  |
| 108. Violation of the provision regarding starting a parked vehicle                                    | 42-4-1201 (class A traffic infraction)      |
| 109. Violation of the provisions regarding parking or abandonment of vehicles                          | 42-4-1202 (2) (class B traffic infraction)  |
| 110. Violation of any of the provisions prohibiting stopping, standing, or parking in specified places | 42-4-1204 (7) (class B traffic infraction)  |
| 111. Violation of any of the provisions regarding parking at a curb or the edge of a roadway           | 42-4-1205 (4) (class B traffic infraction)  |
| 112. Violation of the provision regarding an unattended motor vehicle                                  | 42-4-1206 (class B traffic infraction)      |
| 113. Violation of the provision regarding the opening and closing of vehicle doors                     | 42-4-1207 (class B traffic infraction)      |
| 114. Exercising the parking privileges for the handicapped by one who is not a handicapped person      | 42-4-1208 (6) (class B traffic infraction)  |
| 115. Use of a license plate or placard issued to a handicapped by a person who is not handicapped      | 42-4-1208 (7) (class B traffic infraction)  |



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| 116. Violation of any of the provisions regarding limitations on backing a vehicle   | 42-4-1211 (2) (class A traffic infraction) |
| 117. Violation of the provision prohibiting the following of fire apparatus  | 42-4-1403 (class A traffic infraction)     |
| 118. Violation of the provision prohibiting a motor vehicle from crossing a fire hose  | 42-4-1404 (class B traffic infraction)     |
| 119. Occupying a trailer while it is being moved upon a public highway   | 42-4-1405 (class B traffic infraction)     |
| 120. Violation of any of the provisions prohibiting foreign matter on highways   | 42-4-1406 (5) (class B traffic infraction) |
| 121. Violation of the provision prohibiting spilled loads on highways  | 42-4-1407 (class B traffic infraction)     |
| 122. Violation of any of the provisions regarding the operation of motor vehicles on property under the control of or owned by parks and recreation districts                            | 42-4-1408 (3) (class B traffic infraction) |
| 123. Violation of any of the provisions regarding the use of earphones while driving a motor vehicle   | 42-4-1411 (2) (class B traffic infraction) |
| 124. Violation of any of the provisions regarding riding on motorcycles  | 42-4-1502 (5) (class A traffic infraction) |
| 125. Violation of any of the provisions regarding operating motorcycles on roadways laned for traffic  | 42-4-1503 (6) (class A traffic infraction) |
| 126. Violation of the provision prohibiting a person riding upon a motorcycle from clinging to another vehicle   | 42-4-1504 (class A traffic infraction)     |
| 127. Failure to have a copy of an annual or single trip hazardous materials transportation permit in the cab of the vehicle transporting hazardous materials after obtaining such permit | 42-20-204 (2) (class B traffic infraction) |